ROYAL COMMISSION ON T UBLIC SERVICES IN INDIA.

APPENDIX

TO THE

REPORT

OF

THE COMMISSIONERS.

Volume III.

MINUTES OF EVIDENCE

RELATING TO THE

INDIAN AND PROVINCIAL CIVIL SERVICES

Taken at Calcutta, from the 23rd to the 31st January, and on the 18th February; also at Delhi, on the 22nd February, 1913,

WITH

APPENDICES.

Presented to both Houses ment by Command of His Majest

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QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles—(*a*) selection by headmasters of schools approved or otherwise, (*b*) selection by authorities in Universities approved or otherwise, (*c*) nomination by head-masters or University authorities and selection under the orders of the Secretary of State, (*d*) combined nomination and examination, (*e*) any other method?

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts—officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose.

14. Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(*b*) *Age-limits.*

15. If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?*

* The principal changes in the age-limits have been as follows:—

Years.	Age-limits at open competition.	Period of probation in England.	Age of selected candidates at end of year of arrival in India.
1855—1857	18—23 years	No probation in England	18½—23½
1860—1865	18—22 years	One year's probation	19½—23½
1866—1878	17—21 years on 1st March	Two years' probation	19¾—23¾
1878—1891	17—19 years on 1st January	Two or three years' probation ...	20—23
1892—1895	21—23 years on 1st April	One year's probation	22¾—24¾
1896—1905	21—23 years on 1st January	Ditto	23—25
Since 1906	22—24 years on 1st August	Ditto	23½—25½

METHODS OF RECRUITMENT—*contd.*

(*b*) *Age-limits*—concld.

16. What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?

18. What is the most suitable age at which junior civilians should arrive in India?

19. What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?

(*c*) *Subjects of Examination.*

20. On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of University-leaving age?

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.

(*d*) *Statutory Regulations.*

23. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

25. Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?

26. Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?

(*e*) *Mixed Commissions.*

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?

31. If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?

(*f*) *Listed Posts, etc.*

33. Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3) and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices,

METHODS OF RECRUITMENT.—*concld.*

(*f*) *Listed Posts, etc.*—concld.

places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons.

35. To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?

37. Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?

38. Is the class of posts listed suitable? If not, in what directions would you suggest any changes; and why?

39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

41. Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(*a*) *Probation.*

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instructions in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what reasons?

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

49. Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

50. If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

51. Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you.

52. In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of—(*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.

53. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

SYSTEMS OF TRAINING AND PROBATION—*concld.*

(*a*) *Probation.*—concld.

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European students' point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(*b*) *Training.*

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above

CONDITIONS OF SERVICE—*contd.*

hat of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so, what, has been caused thereby to the Administration?

75. Please now see the statement marked AA and the list marked—

Madras=*A*,
Bombay=*B*,
Bengal=*C*,
United Provinces=*D*,
Punjab=*E*,
Burma=*F*,
Bihar and Orissa=*G*,
Central Provinces and Berar=*H*,
Assam=*I*,

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. [Attention is invited in this connexion to List J in Appendix VII to these questions.]

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorized on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alteration do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?

CONDITIONS OF SALARY—*concld.*

95. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

96. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?

100. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services?

102. If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive Branches of the Service is different?

103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

104. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

107. Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?

111. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?

114. In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?

116. Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

119. Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?

CONDITIONS OF PENSION—*concld.*

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present condition?

122. Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?

126. Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?

127. Do you approve of the present system regulating the pensions of statutory civilians? If not, what do you suggest?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?

129. Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

130. In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?

131. Do you recommend that such admission should be optional or compulsory?

132. If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?

133. Is the existing system under which provision is made for the families of deceased military officers holding Indian Civil Service posts satisfactory? If not, what would you suggest?

134. Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians, (*b*) to members of the Provincial Civil Services holding listed posts, for providing for their families against their decease?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

GENERAL.

136. Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

137. Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

METHODS OF RECRUITMENT.

1. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?

3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?

4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.

5. Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year.

6. What is your experience of the officers selected by the different methods of recruitment which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition,

A.—Provincial Civil Service.]

METHODS OF RECRUITMENT—*concld.*

(*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ Branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training, and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial Branches of the service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

CONDITIONS OF LEAVE—*concld.*

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration? and if so what, and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respect? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund or to other official or officially-recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to, be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

APPENDIX I.

Period of Age-limits, 17—21, *i.e.*, down to 1877.

	Subjects.	Marks.
1.	English Composition	500
2.	History of England, including that of the Laws and Constitution	500
3.	English Language and Literature	500
4.	Language, Literature, and History of Greece.	750
5.	Language, Literature and History of Rome.	750
6.	Language, Literature, and History of France.	375
7.	Language, Literature, and History of Germany.	375
8.	Language, Literature, and History of Italy.	375
9.	Mathematics (pure and mixed)	1,250
10.	Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology, (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000
11.	Moral Science—that is, Logic, Mental and Moral Philosophy.	500
12.	Sanskrit Language and Literature	500
13.	Arabic Language and Literature	500

Period of Age-limits, 17—19. *i.e.*, 1878—1891.

	Subjects.	Marks.
1.	English Composition	300
2.	History of England, including a period selected by the candidate.	300
3.	English Literature, including books selected by the candidate.	300
4.	Greek	600
5.	Latin	800
6.	French	500
7.	German	500
8.	Italian	400
9.	Mathematics (pure and mixed)	1,000
10.	Natural Science—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 500; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11.	Logic	300
12.	Elements of Political Economy	300
13.	Sanskrit	500
14.	Arabic	500

Period of Age-limits, 21—23, *i.e.*, 1892—1905.

1.	English Composition	500
2.	English History	500
3.	English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution.	500
4.	English Language and Literature (including special period named by the Commissioners.)	500
5.	Greek Language and Literature	750
6.	Greek History (Ancient, including Constitution).	400
7.	Latin Language and Literature	750
8.	Roman History (Ancient, including Constitution).	400
9.	Roman Law	500
10.	French Language and Literature	500
11.	German Language and Literature	500
12.	General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500
13.	Mathematics (pure and applied)	900
14.	Advanced Mathematical subjects (pure and applied).	900

Period of Age-limits, 22—24, *i.e.*, 1906 to date.

1.	English Composition	500
2.	English History, either or both sections may be taken—	
	Section I., to A.D. 1485	400
	Section II., A.D. 1485 to 1848	400
3.	English Law	500
4.	English Language and Literature	600
	Greek, not less than two sub-divisions, of which one must be Translation—	
5.	Translation	400
6.	Prose Composition	200
7.	Verse Composition	200
8.	Literature, etc.	300
9.	Greek History (Ancient, including Constitution).	500
	Latin not less than two sub-divisions, of which one must be Translation:—	
10.	Translation	400
11.	Prose Composition	200
12.	Verse Composition	200
13.	Literature, etc.	300
14.	Roman History (Ancient, including Constitution).	500
15.	Roman Law	500
16.	French, History of the Language and Literature.	200
17.	French, Translation, Composition and Conversation.	400
18.	German, History of the Language and Literature.	200
19.	German, Translation, Composition and Conversation.	400
20.	Italian, History of the Language and Literature.	200
21.	Italian, Translation, Composition and Conversation.	400
22.	General Modern History	500
23.	Lower Mathematics	1,200
24.	Higher Mathematics	1,200

APPENDIX I.—*concld.*

Period of Age-limits, 21—23, *i.e.*, 1892—1905.		Period of Age-limits, 22—24, *i.e.*, 1906 to date.	
Subjects.	Marks.	Subjects.	Marks.
15. Natural Science, *i.e.*, any number not exceeding three of the following subjects:— Elementary Chemistry and Elementary Physics ... 600 (*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics) Higher Chemistry ... 600 Higher Physics ... 600 Geology ... ... 600 Botany ... ... 600 Zoology ... ... 600 Animal Physiology ... 600	1,800	25. Natural Science, *i.e.*, any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken:— (1) Chemistry ... ... 600 (2) Physics ... ... 600 (3) Geology ... ... 600 (4) Botany ... ... 600 (5) Zoology ... ... 600 (6) Animal Physiology. ... 600 (7) Geography 600	2,400 or 1,800
16. Logic and Mental Philosophy (Ancient and Modern).	400	26. Logic and Physiology	600
17. Moral Philosophy (Ancient and Modern)	400	27. Moral and Metaphysical Philosophy ...	600
18. Political Economy and Economic History	500	28. Political Economy and Economic History	600
19. Political Science (including Analytical Jurisprudence, the early History of Institutions and Theory of Legislation).	500	29. Political Science	500
20. Sanskrit Language and Literature ...	500	31. Sanskrit Language and Literature ...	800
21. Arabic Language and Literature ...	500	32. Arabic Language and Literature ...	800
Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.		Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.	

APPENDIX II.

The Indian Civil Service Act, 1861.

(24 & 25 Vict., Cap. 54.)

An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.

Whereas by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future: 33 G. 3, c. 52.

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Appointments not in accordance with 33 G. 3, c. 52, valid.

1. *All appointments made by the authorities in* India *to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed*—(*Rep. 55 & 56 Vict., c. 19*).

Vacancies in offices to be supplied by covenanted civil servants.

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an

APPENDIX I.

Period of Age-limits, 17—21, *i.e.*, down to 1877.	
Subjects.	**Marks.**
1. English Composition	500
2. History of England, including that of the Laws and Constitution	500
3. English Language and Literature	500
4. Language, Literature, and History of Greece.	750
5. Language, Literature and History of Rome.	750
6. Language, Literature, and History of France.	375
7. Language, Literature, and History of Germany.	375
8. Language, Literature, and History of Italy.	375
9. Mathematics (pure and mixed)	1,250
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology, (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000
11. Moral Science—that is, Logic, Mental and Moral Philosophy.	500
12. Sanskrit Language and Literature	500
13. Arabic Language and Literature	500

Period of Age-limits, 17—19. *i.e.*, 1878—1891.	
Subjects.	**Marks.**
1. English Composition	300
2. History of England, including a period selected by the candidate.	300
3. English Literature, including books selected by the candidate.	300
4. Greek	600
5. Latin	800
6. French	500
7. German	500
8. Italian	400
9. Mathematics (pure and mixed)	1,000
10. Natural Science—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11. Logic	300
12. Elements of Political Economy	300
13. Sanskrit	500
14. Arabic	500

Period of Age-limits, 21—23, *i.e.*, 1892—1905.	
1. English Composition	500
2. English History	500
3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution.	500
4. English Language and Literature (including special period named by the Commissioners.)	500
5. Greek Language and Literature	750
6. Greek History (Ancient, including Constitution).	400
7. Latin Language and Literature	750
8. Roman History (Ancient, including Constitution).	400
9. Roman Law	500
10. French Language and Literature	500
11. German Language and Literature	500
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500
13. Mathematics (pure and applied)	900
14. Advanced Mathematical subjects (pure and applied).	900

Period of Age-limits, 22—24, *i.e.*, 1906 to date.	
1. English Composition	500
2. English History, either or both sections may be taken—	
Section I., to A.D. 1485	400
Section II., A.D. 1485 to 1848	400
3. English Law	500
4. English Language and Literature	600
Greek, not less than two sub-divisions, of which one must be Translation—	
5. Translation	400
6. Prose Composition	200
7. Verse Composition	200
8. Literature, etc.	300
9. Greek History (Ancient, including Constitution).	500
Latin not less than two sub-divisions, of which one must be Translation:—	
10. Translation	400
11. Prose Composition	200
12. Verse Composition	200
13. Literature, etc.	300
14. Roman History (Ancient, including Constitution).	500
15. Roman Law	500
16. French, History of the Language and Literature.	200
17. French, Translation, Composition and Conversation.	400
18. German, History of the Language and Literature.	200
19. German, Translation, Composition and Conversation.	400
20. Italian, History of the Language and Literature.	200
21. Italian, Translation, Composition and Conversation.	400
22. General Modern History	500
23. Lower Mathematics	1,200
24. Higher Mathematics	1,200

APPENDIX I.—*concld.*

Period of Age-limits, 21—23, *i.e.*, 1892—1905.		Period of Age-limits, 22—24, *i.e.*, 1906 to date.	
Subjects.	Marks.	Subjects.	Marks.
15. Natural Science, *i.e.*, any number not exceeding three of the following subjects :— Elementary Chemistry and Elementary Physics ... 600 (*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics) - Higher Chemistry ... 600 Higher Physics ... 600 Geology ... ... 600 Botany ... ... 600 Zoology ... ... 600 Animal Physiology ... 600	1,800	25. Natural Science, *i.e.*, any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken :— (1) Chemistry ... ... 600 (2) Physics ... ... 600 (3) Geology ... ... 600 (4) Botany ... ... 600 (5) Zoology ... ... 600 (6) Animal Physiology ... 600 (7) Geography 600	2,400 or 1,800
16. Logic and Mental Philosophy (Ancient and Modern).	400	26. Logic and Physiology	600
17. Moral Philosophy (Ancient and Modern)	400	27. Moral and Metaphysical Philosophy ...	600
18. Political Economy and Economic History	500	28. Political Economy and Economic History	600
19. Political Science (including Analytical Jurisprudence, the early History of Institutions and Theory of Legislation).	500	29. Political Science	500
20. Sanskrit Language and Literature ...	500	31. Sanskrit Language and Literature ...	800
21. Arabic Language and Literature ...	500	32. Arabic Language and Literature ...	800
Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.		Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.	

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An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.

Whereas by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future: 33 G. 3, c. 52

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Appointments not in accordance with 33 G. 3, c. 52, valid.

1. *All appointments made by the authorities in* India *to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed*—(*Rep. 55 & 56 Vict., c. 19*).

Vacancies in offices to be supplied by covenanted civil servants.

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an

examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting, and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under-Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under-Secretaries in the Military, Marine and Public Works Departments.

Accountant-General.
Civil Auditor. (a)
Sub-Treasurer. (b)

Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint-Magistrates in the said Provinces.
5. Assistant Magistrates or Assistant to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint-Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt and Opium.
10. Opium Agents.

(a) Now called Comptroller-General.

(b) Now non-existent.

APPENDIX III.

The Government of India Act, 1870.

(33 Vict., Cap. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

* * * * * * * * *

6. Whereas it is expedient that additional facilities should be given for the employment of Natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any Native of India to any such office, place or employment, although such Native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "Natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of Natives of India thus expressed; provided that every resolution made by him for such purposes shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a Native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such Provincial civil service can properly be appointed.

2. The local Government may at any time appoint any Native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by Natives of India not members of the Provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any Native of India (not a member of a Provincial service) who has, prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any Native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only, and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. EARLE,
Offg. Secy. to the Govt. of India.

APPENDIX V.

Statement showing Posts listed as open to the Provincial Civil Services.

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
Superior Posts.									
Heads of districts ...	2	2	8	2	2	2	5	4	49
District and Divisional Judges.	4	3		5	6	2		2	
Settlement Collectors ...	...	...	...	...	2	1	...	...	3
Sub-Collectors ...	2	...	...	...	...	...	...	...	2
Secretary, Board of Revenue.	...	...	...	...	1	...	...	...	1
Talukdari Settlement Officer	...	1	...	...	...	...	...	...	1
Total ...	8	6	8	7	11	5	5	6	56
Inferior Posts.									
Secretary to Board of Revenue.	1	...	...	1	...	...	...	...	2
Under-Secretary to Government.	1	...	1	...	1	...	1	...	4
Joint Magistrates or Assistant. Commissioners or Assistant Collectors.	5	8	8	7	3	...	...	2	33
Assistant Judges ...	...	3	...	...	...	...	...	...	3
Small Cause Court Judges	...	...	...	2	...	...	...	...	2
Assistant Settlement Officers	...	...	...	2	...		...	...	2
Assistant to Director of Land Records.	...	...	...	1	...	...	...	...	1
Total ..	7	11	9	13	4	...	1	2	47
GRAND TOTAL SUPERIOR AND INFERIOR.	15	17	17	20	15	5	6	8	103

APPENDIX VI.

FINAL EXAMINATION OF 1891 WHEN THE PERIOD OF PROBATION WAS TWO YEARS.

Subjects (*a*).	Marks.
1. *Classical languages of India—	
Sanskrit	500
Arabic	400
Persian	400
2. †Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each.	400
3. The History and Geography of India	350
4. ‡Law	1,250
5. Political Economy	350

FINAL EXAMINATION OF 1912 WHEN THE PERIOD OF PROBATION WAS ONE YEAR.

Subjects.	Marks.
Compulsory—	
1. The principal Vernacular language of the Province to which the candidate is assigned.	400
2. Indian History	400
3. Indian Penal Code	400
4. Code of Criminal Procedure ...	200
5. The Indian Evidence Act ...	200
Optional.—(Not more than one of the following subjects.)	
1. §Sanskrit	400
2. §Arabic	400
3. Persian	400
4. Hindustani (for candidates assigned to the Province of Burma only).	400
5. Hindu and Muhammadan Law...	450

(*a*) In addition to the above, candidates were permitted to take up any one of the following branches of Natural Science, viz., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' Presidency or Province.

‡ The course of reading in law included –

(1) General Jurisprudence—
  Blackstone's Commentaries.
  Austin's Jurisprudence.
  The Institutes of Justinian.
  Maine's Ancient Law.
  Mackenzie's Studies in Roman Law.
  Bentham's Theory of Legislation.
(2) Law of Evidence—
  The Indian Evidence Act.
  Pitt Taylor's Treatise on the Law of Evidence.
(3) Law of India—
  The Code of Civil Procedure.
  The Indian Penal Code.
  The Code of Criminal Procedure.
  The Indian Law of Contracts.
  The Intestate and Testamentary Succession Act.
  Hindu Law.
  Muhammadan Law.

Simultaneously, the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case:—

First Periodical Examination ...	Seven reports of police court cases of a stipendary Magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial. Four civil cases of a county court in which the parties were represented by counsel. One separate report of the whole business, of whatever kind, transacted in a police court during one day.
Second Periodical Examination ..	Five reports of Civil actions in the superior courts of London in which the defendant was represented by counsel. Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
Third Periodical Examination ...	Three reports of civil cases of importance tried before special juries in the Superior Courts of London. Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, etc.
Final Examination ...	One report of the investigation before a London police magistrate of a grave criminal charge ending in committal. One report of the whole business, of whatever kind, transacted in a London police court in one day. Two reports of important civil cases tried by a special jury in London. One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the open competition.

APPENDIX VII.

AA.

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for INDIA as a whole and by PRESIDENCIES or PROVINCES, as sanctioned on 1st July 1912, together with the number of posts listed as open to the Provincial Service in accordance with the terms of the rules *made under the provisions* of Section 6 of the Government of India Act, 1870 (33 Vict., Cap. 3).

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
(1) No. of "Superior" posts, *i.e.*, posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province.	87	84	90	111	80	83	54	51	22	662
(2) *Deduct* for posts listed as open to Provincial Service.	8	6	8	7	11	5	5	6	...	56
(3) *Add* for posts under the Government of India (*a*).	8	8	8	10	7	6	5	...	2	58
(4) Balance number of "Superior" posts.	87	86	90	114	76	84	54	49	24	664
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants.]	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based.	90	89	94	119	79	87	56	51	25	690
(7) *Add* "Inferior" posts, *i.e.*, posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6).	35	35	37	46	31	34	22	20	9	269
(8) *Add* leave reserve at 40 per cent. of line (6).	36	35½	37½	47½	32	35	22½	20	10	276
(9) *Add* training reserve at 15·5 of line (6).	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of service required at 194·5 per cent. of line (6).	175	173	183	231	154	169	109	99	48	1,341
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10).	7·3	7·2	7·6	9·6	6·4	5·3 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

APPENDIX VII.—*contd.*

LIST A.

MADRAS.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
2	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chief Secretary	3,750
1	Member, Board of Revenue	3,500
1	Secretary, Revenue Department	3,125
2	Members, Board of Revenue	3,000
2	District and Sessions Judges, first grade	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Resident, Travancore	2,800
7	District and Sessions Judges, second grade ...	2,500
1	Secretary, Municipal (Local) Department	2,500
(a) 7	Collectors, first grade	2,500
7	District and Sessions Judges, third grade	2,250
(a) 14	Collectors, second grade	2,250
6	District and Sessions Judges, fourth grade... ...	2,000
1	Commissioner of Coorg	1,800—2,000
(a) 6	Collectors, third grade	1,800
1	Secretary to Commissioner of Land Revenue ...	1,500—1,800
1	Secretary to Commissioner, Salt and Abkari Revenue ...	1,500—1,800
1	Registrar, High Court	1,500—1,800
1	Private Secretary	1,500
(b) 20	Sub-Collectors and Joint Magistrates, first grade ...	1,200
Total ... 87		
Deduct −8	For posts listed as open to the Provincial Service.	
Add +8	Do. under the Government of India.	
Balance 87		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
3	Under-Secretaries	1,000
16	Joint Magistrates, second grade	900
16	Ditto, third grade	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
36	Leave reserve.	
14	Training reserve.	
Total ... 53		

(a) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.

(b) Includes Deputy Commissioner of Salt and Abkari, and Director of Land Records.

APPENDIX VII.—*contd.*

LIST B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, etc. ...	3,000
1	Municipal Commissioner, Bombay	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner	2,750
(*a*) 3	District and Sessions Judges, first grade	2,500
1	Secretary	2,500
6	District and Sessions Judges, second grade ...	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records	Salary of grade *plus* a local allowance of Rs. 250.
9	District and Sessions Judges, third grade	1,800
(*b*) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary	1,500
1	Deputy Commissioner, Upper Sind Frontier ...	1,200 Local allowance of Rs. 300.
3	Political appointments	......
1	Assistant Remembrancer of Legal Affairs	1,250—50—1,500
2	Under-Secretaries	1,250
1	Talukdari Settlement Officer	1,100
1	Assistant to Commissioner in Sind	1,100 Local allowance of Rs. 100.
1	Manager, Sind Encumbered Estates	Salary of grade *plus* special allowance of Rs. 200.
2	Superintendents of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
5	Assistant Collectors, first grade	900 (*c*).
Total ... 84		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 8	Do. under the Government of India.	
Balance 86		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, first grade	900
18	Ditto, second grade	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total ... 52		

(*a*) Includes Remembrancer of Legal Affairs.

(*b*) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies, but excludes Collector of Customs, Bombay.

(*c*) It has recently been proposed to raise the pay of these five appointments to Rs. 1,000.

APPENDIX VII.—*contd.*

LIST C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333⅓
(*a*) 3	District and Sessions Judges, first grade	3,000
1	Chairman of the Calcutta Improvement Trust ...	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(*a*) 13	District and Sessions Judges, second grade ...	2,500
(*b*) 12	Magistrates and Collectors, first grade ...	2,250
(*a*) 14	District and Sessions Judges, third grade	2,000
(*b*) 13	Magistrates and Collectors, second grade	1,800
1	Registrar, High Court	1,700
(*b*) 14	Magistrates and Collectors, third grade	1,500
1	Private Secretary to His Excellency the Governor ...	1,500
1	Deputy Chairman, Calcutta Corporation	1,500
Total ... 90		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	Do. under the Government of India.	
Balance 90		
	Inferior posts (i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay excluding one listed Under-Secretaryship*).	
2	Under-Secretaries	1,000
17	Joint Magistrates	900
17	Ditto	700
Total ... 36		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
4	Reserve for temporary appointments and deputations.	
37½	Leave reserve.	
14½	Training reserve.	
Total ... 56		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam.

(*b*) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapore, Bakarganj and Mymensingh.

APPENDIX VII.—*contd.*

LIST D.

UNITED PROVINCES.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
3	High Court Judges	4,000
1	Judicial Commissioner	3,500
2	Members, Board of Revenue	3,500
1	Additional Judicial Commissioner	3,333⅓
1	Chief Secretary	3,000
2	District and Sessions Judges, first grade	3,000
9	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
1	Opium Agent	2,500—100—3,000
1	Commissioner, Kumaun	2,500
(*a*) 7	District and Sessions Judges, second grade ...	2,500
(*b*) 19	Magistrates and Collectors, first grade	2,250
(*a*) 6	District and Sessions Judges, third grade ...	2,250
10	District and Sessions Judges, fourth grade ...	1,833⅓
(*b*) 17	Magistrates and Collectors, second grade ...	1,833⅓
4	Deputy Commissioners, first grade	1,833⅓
3	District and Sessions Judges, fifth grade ...	1,666⅔
(*b*) 10	Deputy Commissioners, second grade	1,666⅔
1	Registrar, High Court	1,600
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Deputy Director of Land Records	
1	Registrar, Co-operative Credit Societies	
1	Superintendent, Dehra Dun	1,500
1	Deputy Commissioner, Naini Tal ...	1,500
1	Assistant Judge	1,100
2	Deputy Commissioners of Garhwal and Almora ...	1,000
Total ... 111		
Deduct − 7	For posts listed as open to the Provincial Service	
Add +10	Do. under the Government of India.	
Balance 114		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the " superior " posts in order of pay.*	
2	Under-Secretaries	1,000
1	Under-Secretary	800
1	City Magistrate, Lucknow	1,000
14	Joint Magistrates, first grade	1,000
6	Assistant Commissioners, first grade	800
1	Assistant Judge	800
20	Joint Magistrates, second grade	700
1	Registrar, Judicial Commissioner's Court ...	Salary of grade.
Total ... 46		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
5	Reserve for temporary posts and for deputations.	
47½	Leave reserve.	
18½	Training reserve.	
Total... 71		

(*a*) Includes the Legal Remembrancer.

(*b*) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

APPENDIX VII.—*contd.*

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
2	Judges, Chief Court	3,500
2	Financial Commissioners	3,500
1	Chief Secretary	3,000
5	Commissioners	2,750
2	Divisional Judges, 1st grade	2,750
3	Divisional Judges, 2nd grade	2,500
5	Divisional Judges, 3rd grade	2,250
(*a*) 10	Deputy Commissioners, 1st grade	2,250
6	Divisional Judges, 4th grade	1,800
(*a*) 11	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*a*) 13	Deputy Commissioners, 3rd grade	1,500
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
1	Senior Secretary to Financial Commissioners ...	Salary of grade, subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners ...	Salary of grade, subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000.
1	Registrar, Chief Court	1,250
Total .. 80		
Deduct — 11	For posts listed as open to the Provincial Service.	
Add + 7	Do. under the Government of India.	
ance 76		

	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under-Secretaryship listed).*	
2	Under Secretaries	1,000
14	Assistant Commissioners, 1st grade	900
15	Ditto, 2nd grade	700
Total ... 31		...

	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total ... 47		

(*a*) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent in the Phulkian States.

APPENDIX VII.—*contd.*

LIST F.

BURMA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
1	Judge, Chief Court	3,500
1	Judicial Commissioner, Upper Burma	3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	2,500 (*a*)
1	Director of Agriculture	2,400 (*d*)
2	Divisional Judges, 2nd grade	2,250
(*c*) 12	Deputy Commissioner, 1st grade	2,250
1	Revenue Secretary to Government	2,250 (*b*)
1	Secretary to Government	2,250 (*b*)
2	Divisional Judges, 3rd grade	1,800
(*c*) 13	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*c*) 15	Deputy Commissioners, 3rd grade	1,500
1	Deputy Director of Land Records	1,600 (*b*)
1	Secretary to Financial Commissioner	1,500 (*b*)
1	Registrar, Chief Court	1,400 (*b*)
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
Total ... 83		
Deduct − 5	For posts listed as open to the Provincial Service.	
Add + 6	For posts under the Government of India.	
Balance ... 84		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
11	Assistant Commissioners, 1st grade	1,000
13	Assistant Commissioners, 2nd grade	700
10	Assistant Commissioners, 3rd grade ...	600
Total ... 34		
	Reserve posts, i.e., *Assistant Commissioners of the 4th grade.*	450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total ... 51		

(*a*) Maximum salary, including a local allowance of Rs. 250 a month.

(*b*) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs 200 and Rs. 200, respectively.

(*c*) Includes Superintendent of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer drawing the salary of grade *plus* a local allowance of Rs. 250, without a maximum.

(*d*) Maximum salary including a local allowance of Rs. 150 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(*a*) 2	District and Sessions Judges, 1st grade	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
(*a*) 5	District and Sessions Judges, 2nd grade	2,500
(*b*) 9	Magistrates and Collectors, 1st grade	2,250
(*a*) 5	District and Sessions Judges, 3rd grade	2,000
(*b*)10	Magistrate and Collectors, 2nd grade	1,800
(*b*)10	Ditto, 3rd grade	1,500
Total ... 54		
Deduct −5	For posts listed as open to the Provincial Service.	
Add +5	Do. under the Government of India.	
Balance... 54	On which recruitment is based.	
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts (including one listed Under-Secretary) in order of pay.*	
2	Under-Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Ditto, 2nd grade	700
Total ... 22		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
2	Reserve for temporary posts and for deputations.	
22½	Leave reserve.	
8½	Training reserve.	
Total ... 33		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota Nagpur.
(*b*) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

APPENDIX VII.—*contd.*

LIST H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	Central Provinces.	Rs.
1	Chief Commissioner	5,166⅔
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner	2,750
3	Commissioners	2,750
2	Ditto	2,500
1	Senior Divisional Judge	2,500
(a) 8	Deputy Commissioners, 1st class	2,250
(a) 12	Ditto, 2nd class	1,800
(a) 14	Ditto, 3rd class	1,500
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies	
Total ... 51		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 4	Do. under the Government of India.	
Balance ... 49		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	Rs.
6	Assistant Commissioners, 1st grade	900
13	Ditto, 2nd grade	700
Total ... 19		
	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows:—	
10	Assistant Commissioners, 1st grade	900
10	Ditto, 2nd grade	700
Total ... 20		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	400-500
2	Reserve for temporary post and for deputations.	
20	Leave reserve.	
8	Training reserve.	
Total ... 30		

(a) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlement, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450, subject to a maximum salary of Rs. 2,500 a month.

APPENDIX VII.—*contd.*

LIST I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166⅔
2	Commissioners	2,750
(a) 6	Deputy Commissioners, 1st grade	2,250
(a) 7	Ditto, 2nd grade	1,800
(a) 6	Ditto, 3rd grade	1,500
Total ... 22		
Deduct *Nil.*	For posts listed as open to the Provincial Service.	
Add + 2	Do. under the Government of India.	
Balance ... 24		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under-Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Ditto, 2nd grade	700
Total ... 9		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total 15		

(a) Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operative Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer, and Political Agent, Manipur.

LIST J.

Superior Posts under the Government of India.

Number.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666⅔
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
1	Comptroller and Auditor-General	3,500—4,000
3	Accountants-General	2,250—2,750
3	Officers of the India Finance Department ...	1,100—1,800

APPENDIX VII.—*contd.*

LIST J.—*contd.*

Number.	Designation.	Pay of each.
		Rs.
	Foreign Department—	
1	Secretary	4,000
1	Deputy Secretary	2,250
23	Political Officers	1,100—4,000
	Legislative Department—	
1	Secretary or Deputy Secretary	3,000—3,500 or 2,000
	Department of Revenue and Agriculture—	
1	Secretary	4,000
	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs ...	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue ...	2,500
1	Inspector-General of Excise and Salt	3,000
3	Collectors of Customs	2,050—2,500
2	Assistant Collectors of Customs	1,150—1,400
	Department of Education—	
1	Secretary	3,000
Total ... 58		

BB.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the strength at which it should have stood on the same date in accordance with the sanctioned calculations.

Provinces.	Sanctioned strength.	Actual strength on 1st July 1912.	Number of officers over(+) or under(—) strength.
1	2	3	4
Madras	175	173	— 2
Bombay	173	176 (*a*)	+ 3
Bengal	183	174 (*b*)	— 9
United Provinces	231	237 (*c*)	+ 6
Punjab	154	Civilians 162 (*d*) ... Military 29 (*e*) ... } 191	+37
Burma	169	Civilians 126 ... Military 49 ... } 175	+ 6
Bihar and Orissa	109	107 (*f*)	— 2
Central Provinces	99	104 (*g*)	+ 5
Assam	48	Civilians 39 ... Military 9 ... } 48	...
Total ...	1,341	1,385	+44

(*a*) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(*b*) Excluding Messrs. Nathan and Hallet, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(*c*) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in the Bengal cadre.

(*d*) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf, Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(*e*) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppel and Captain Keen, serving in the Political Department under the Government of India in the North-West Frontier Province.

(*f*) Excluding the late Mr. Shettle.

(*g*) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included), and Liddell (serving in Bengal, in which he has been included), and three Indian members of the Berar Commission who have been treated as holding posts corresponding to three listed posts.

Nature of posts.	MADRAS.		BOMBAY.		BENGAL.		UNITED PROVINCES.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	...	......	...	......	...	......	1	8,333⅓
Members of Councils...	2	5,333⅓	2	5,333⅓	2	5,333⅓	...	......
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4,000
Boards of Revenue or Financial Commissioners.	4	(1) 3,750 (1) 3,500 (2) 3,000	...	......	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	...	......	6	(1) 3,750 (3) 3,500 (2) 3,000	5	2,916⅔	10	(9) 2,916⅔ (1) 2,500
Secretaries to Government.	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,333⅓ (2) 2,750	1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,500–1,800	...	......	...	......	...	......
Judicial Commissioners	...	......	2	(1) 3,000 (1) 2,750	...	......	2	(1) 3,500 (1) 3,333⅓
District and Sessions Judges or Divisional Judges and District Judges.	22	(2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	18	(3) 2,500 (6) 2,325 (9) 1,800	30	(3) 3,000 (13) 2,600 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833⅓ (3) 1,666⅔
Collectors or Deputy Commissioners.	27	(7) 2,500 (14) 2,250 (6) 1,800	29	(13) 2,325 (15) 1,800 (1) 1,500	39	(12) 2,250 (13) 1,800 (14) 1,500	54	(19) 2,250 (21) 1,833⅓ (10) 1,666⅔ (2) 1,500 (2) 1,000
Political Officers ...	1	2,800	3	......	...	......	...	......
Miscellaneous posts ...	(a)4	(1) 2,500–3,000 (1) 1,800–2,000 (1) 1,500–1,800 (1) 1,500	(b)6	(1) 2,500–3,000 (1) 1,700 (1) 1,500 (1) 1,250–1,500 (2) 1,100	6 (c)	(1) 3,500 (1) 3,000 (1) 2,600–3,000 (1) 1,700 (1) 1,600 (1) 1,300	4 (d)	(2) 2,500–3,000 (1) 1,600 (1) 1,100
Under-Secretaries to Government.	3	1,000	2	1,250	2	1,100	3	(2) 1,000 (1) 800
Joint Magistrates or Assistant Commissioners, 1st grade.	20	1,200	...	......	...	......	...	......
Joint Magistrates or Assistant Commissioners, 2nd (1st) grade.	16	900	17	900	17	900	22	(15) (e) 1,000 (7) (f) 800
Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade.	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th (3rd) grade.	...	......	..	......	..	......	...	......
Assistant Collectors or Commissioners.	53	400—500	57	400—500	56	400—500	71	400—500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	...	......	5	......	...	......	7	......
Total ...	175	......	171	......	182	......	228	......

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.

(b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Sind and Talukdari Settlement Officer.

(c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.

(d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.

(e) Includes City Magistrate of Lucknow.

(f) Includes an Assistant Judge.

DIX VIII.

Punjab.		Burma.		Bihar and Orissa.		Central Provinces and Berar.		Assam.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
	Rs.		Rs.		Rs.		Rs.		Rs.
1	8,333⅓	1	8,333⅓	1	8,333⅓	1	5,166⅔	1	5,166⅔
...	......	...	......	2	5,000	...	......	...	......
3	(1) 4,000 (2) 3,500	2	(1) 4,000 (2) 3,500	2	4,000	...	......	...	......
2	3,500	1	3,500	1	3,500	1	3,500	...	......
5	2,750	9	2,750	5	2,916⅔	5	(3) 2,750 (2) 2,500	2	2,750
1	3,000	1	3,000	1	3,000	...	......	...	......
2	(1) 1,200-1,800 (1) 1,000-1,500	...	......	...	......	...	......	...	......
...	......	1	3,500	...	......	3	(1) 3,500 (1) 3,000 (1) 2,750	...	......
24	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1.800 (8) 1,500	14	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12	(2) 3,000 (5) 2,500 (5) 2,000	1	2,500	(j)	......
34	(10) 2,250 (11) 1,800 (13) 1,500	40	(12) 2,250 (13) 1,800 (15) 1,500	29	(9) 2,250 (10) 1,800 (10) 1,500	34(i)	(8) 2,250 (12) 1,800 (14) 1,500	19	(6) 2,250 (7) 1,800 (6) 1,500
...	......	...	......	...	......	...	......	...	......
(g) 1	1,250	...	......	1 (h)	2,500—3,000	...	......	..	......
2	1,000	...	......	2	1,000	...	......	2	1,000
...	......	...	......	...	......	...	......	...	......
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	3	700
...	......	10	600	...	......	...	......	...	......
47	400—500	61	450—500	33	400—500	31	400—500	15	400—500
7	......	14	......	...	......	6	......	...	......
158	......	168	......	109	......	101	......	46	......

(g) Registrar of Chief Court.

(h) Inspector-General of Police.

(i) Includes Divisional Judges except the Senior Divisional Judge.

(j) Three District and Sessions Judges are graded with the Bengal cadre.

APPENDIX VIII—*concluded.*

DD.

Presidency or Province.	Collectors or Deputy Commissioners.							District and Sessions Judges, including Divisional and District Judges.							Joint Magistrates, Assistant Collectors and Assistant Commissioners.						
	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over, but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over, but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over, but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over, but less than Rs 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over, but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over, but below Rs. 900.		Appointments in the grades of Rs. 500 and over, but below Rs. 700.	
		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.
Madras ...	27	21	77·8	6	22·2	...	...	22	16	72·7	6	27·3	...	...	105	36	34	16	15·3	53	50·4
Bombay ...	29	13	44·8	15	51·7	1	3·5	18	9	50	9	50	...	...	92	17	18·5	18	19·6	57	61·9
Bengal ...	39	12	30·8	13	33·3	14	35·9	30	16	53·3	14	46·7	...	...	90	17	18·8	17	18·8	56	62·2
United Provinces ...	54	19	35·2	21	38·9	14*	25·9	28	15	53·6	10	35·7	3	10·7	113†	16	13·3	27	23·9	71	62·8
Punjab ...	34	10	29·5	11	32·3	13	38·2	24	10	41·7	6	25	8	33·3	76	14	18·4	15	19·8	47	61·8
Burma ...	40	12	30	13	32·5	15	5	14	4	28·6	2	14·3	8	57·1	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa ...	29	9	31·0	10	34·5	10	34·5	12	7	58·3	5	41·7	...	...	53	10	18·9	10	18·9	33	62·2
Central Provinces and Berar.	34	8	23·5	12	35·3	14	41·2	1	1	100	...	...	...	...	50	6	12	13	26	31	62
Assam ...	19	6	31·6	7	36·8	6	31·6	...	...	...	...	...	...	...	22	4	18·1	3	13·6	15	68·3

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.
† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

APPENDIX A.

Resolution of the Government of India, Home Department (Establishments), Nos. 1046-1058, dated Simla, the 19th August 1910.

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor-General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralization Commission, and is pleased accordingly to invest local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows:—

I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II. Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial Branch; these excepted cases will be governed by Article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character.

III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the local Government declares such probation or training to be unnecessary.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the provincial civil service should usually be confined to persons who are Natives of the province or have definitely settled in it. In the case of candidates who are not Natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential conditions of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. Europeans who are not statutory Natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments* and Departments of the Government of India† noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

A. EARLE,

Offg. Secy. to the Govt. of India.

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* Madras.
Bombay.
Bengal.
United Provinces.
Punjab.
Burma.
Eastern Bengal and Assam.

† Foreign.
Revenue and Agriculture.
Public Works.
Commerce and Industry.

APPENDIX B.

Office.	Rate of pay in Rupees.	NUMBER OF APPOINTMENTS IN EACH GRADE.													
		Madras.	Bombay.			Bengal.	United Provinces.			Panjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presidency proper.	Sind.	Total		Agra.	Oudh.	Total.						
Executive Branch.															
Deputy Collectors in Madras Bombay, Bengal, the United Provinces and Bihar and Orissa. Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam.	800	3	...	...	2	5	...	...	4	3	3	4	2	1	27
	700	6	..	.	3	7	...	...	6	4	5	5	3	1	40
	600	8	...	...	7	16		...	12	5	10	12	6	3	79
	500	29	...	...	23	48	...	..	35	12	36	36	14	10	243
	400	32		...	23	71	..	.	53	24	36	52	23	14	328
	300	29	...	...	24	73	...	.	55	25	35	54	24	15	334
	250	30	...	...		79	...	...	58	(*a*)40		59	14	16	296
	200	...	...	...	...	...		...	...	...	...	...	12	...	12
Total ...	...	137	...		82	299		...	223	113	125	222	98	60	1,359
Mamlatdars ...	250	..	29		29	...	..	...	...	..	..	...	...	...	29
	225	...	34	...	34	...	...	...	...	..	...	..	...	.	34
	200	...	39	...	39		..	...	..	...	...	..	..	...	39
	175	...	45	...	45		..	..	...	...	...	...	..	...	45
	150	...	50	...	50	...	...	..	...	...	...	...	...	...	50
Total ..	...	...	197	...	197	...	...	...	..	...	...	...		.	197
Total (Executive Branch)	...	137	...	...	279	299	..	.	223	113	125	222	98	60	1,556
Judicial Branch.															
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	1,000	...	...	...	...	6	...	...	...	...	...	2	...	...	8
	800	4	3	1	4	12	3	2	5	3	1	6	2	...	37
	700	...	...	...	...	...	...	...	...	4	1	...	3	...	8
	650	5	4	1	5	...	7	3	10	...	...	...	...	...	20
	600	...	...	...	...	24	..	...	...	5	2	12	5	...	48
	500	9	8	1	9	...	9	7	16	12	8	...	5	...	59
	400	...	...	...	...	...	...	...	..	12	8	..	17	...	37
	300	...	...	...	...	...	...	.	...	12	9	..	16	...	37
Total ...	...	(*d*)18	15	3	18	(*b*)42	19	12	31	48	29	(*b*)20	48	(*b*)	254
Munsifs (also called Subordinate Judges, 2nd class, in Bombay).	600	..	...	..	...	12	...	...	...	...	...	..	...	...	12
	400	33	19	2	21	61	22	8	30	...	...	20	...	...	165
	300	33	22	4	26	70	24	8	32	...	...	19	...	...	180
	250	33	...	...	...	66	...	...	...	...	..	19	..	...	118
	200	29	36	5	41	36	22	10	32	...	...	10	...	...	148
	175	...	...		..	...		...	...	.	...	...	...	...	...
	150	...	12	3	15	.		...	...	...	...	...	..	...	15
Total ..	...	(*e*)128	89	14	103	(*b*)245	68	26	94	(*c*)	(*c*)	(*b*)68	(*c*)	(*b*)	638
Total (Judicial Branch)	...	146	104	17	121	287	87	38	125	48	29	88	48	...	892
GRAND TOTAL ...	...	283	...	...	400	586	...	...	348	161	154	310	146	60	2,448

(*a*) This grade is common to both the Judicial and Executive Branches.

(*b*) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent teritorial changes.

(*c*) Munsifs in the Punjab and the Central Provinces and Judicial Myooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.

(*d*) Includes four appointments which have been added since the last general reorganization in 1884.

(*e*) „ three „ „ „ revision of the grades in August 1911.

B.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whe her the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

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* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections and what other arrangement you recommend?

56. Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

59. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

62. Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest and on what grounds?

64. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

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* *Vide* p. xxxiii.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA.

At Calcutta.

Thursday, 23rd January 1913.

TENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON K.C.I.E.
SIR VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
GOPAL KRISHNA GOKHALE, ESQ., C.I.E.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, ESQ., Chairman of the Calcutta Improvement Trust.
SARODA PRASAD SEN, ESQ., Additional Sessions Judge, Sylhet.
RAI BAHADUR PRIYA NATH MUKHERJI, Inspector-General of Registration, Bengal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. } *Joint Secretaries.*
R. R. SCOTT, ESQ. }

THE REV. E. L. STRONG, Oxford Mission, Barisal.

Written answers relating to the Indian Civil Service.

9606 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—If it is necessary to use the term "Natives of India," it seems to me desirable that it should include all who are included in the above definition. But in view of the false significance which the word "Native" almost always bears in India, and of the extreme irritation and even hatred which is caused by the use of the word to almost all educated Indians, it seems to me most important that the use of the word should be discontinued in all Government documents and that persons of unmixed Indian descent should always be called "Indians"; of unmixed European descent, "Europeans"; of mixed European and Indian descent, "Anglo-Indians," or whatever term is finally selected for those who have hitherto been called "Eurasians."

9607 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—I should advise that this system of recruiting should be introduced to a considerable extent, unless a change is made in the system of training young officials of the Indian Civil Service. For I consider that, as things now are, military officers as a rule have had a better training for dealing with and behaving to the people with whom and for whom they work. [See answers to questions (29)—(31).]

9608 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Certainly. It does not at all follow that because men have passed the competitive examination, they are capable of governing Indians. It seems to me essential that they should have a period of probation in India, that it may be discovered whether they have the right temperament for India, and some capacity for the government of men.

9609 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years seems to me to be the minimum. My suggestion is not that a special course of study should be prescribed, but that the probationers should be put under a Magistrate or some other officer of the Indian Civil Service whose duty it was to train them; that as many powers should be given them, if possible, as are now given to Indian Civil Service men when they first come out, and that they should be guided and watched in the use of them by the official under whom they work; that his chief duty in regard to them should be to show them how to deal with and behave to the people with whom, and for whom, they have to work. The report which would be required from him would therefore be concerned chiefly with the way in which they deal with people, the effect of the climate and work on their temperament, and their capacity for bearing responsibility.

9610 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I consider that the same kind of probation is necessary for those who are Natives of India as for the others.

9611 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In India certainly, both in the case of Natives of India and of the others. For the main thing to be discovered is what capacity the probationers have for dealing with and governing the people of India.

9612 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I think it is certainly desirable, if the period of probation could be sufficiently long to enable probationers to have the two years of probation in their work, which I have suggested, as well as a time in the college.

9613 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes, if they could also have two years of probation in their actual work. And especially if the courses of instruction were given by men who, from long experience of intercourse with different classes of Indians, know their ways of looking at things. The majority of the quite young officials I have known think that they know all that is necessary about Indian ways and habits of thought, when they first come out, because they have read a good deal about them and know much more than their friends in England.

9614 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—So far as I have been able to discover, there is at present no system for training junior officers of the Indian Civil Service after they have taken up their appointments. This seems to me a very great source of weakness to the Indian Civil Service. It is no one's duty at present, so far as I can see, to show junior officers how to avoid mistakes, by which they unintentionally irritate Indians intensely, or to correct them when, as is sometimes the case, their manner is overbearing or conceited. The irritation caused by young officers lasts on. Hence, it frequently comes about that English officials who are working splendidly and doing all they can for the good of India are considered, by the educated Indians who have known them in their early days, to be their enemies rather than their friends.

9615 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I consider that there is, speaking generally, and for Bengal only, a gradual deterioration in the knowledge of the common language of the people possessed by members of the Indian Civil Service. And it seems to me to be the inevitable result of the gradual increase of office work which is done in English, and the consequent decrease of work done among the ordinary people themselves in their own language. The *raiyats* come less and less every year in direct contact with English officials; their chief means of approach to them is through English-speaking Babus and their offices.

THE REV. E. L. STRONG, called and examined.

9616. (*Chairman.*) You belong to the Oxford Mission?—Yes.

9617. Have you been occupying that position for many years?—Yes, 18 years.

9618. The whole course of your ministration has been in Bengal, has it not?—Yes, in Calcutta and Barisal.

9619. You have had wide experience in the country districts?—Yes, I have for the last twelve years been working in Barisal.

9620. So that you have been brought into close contact both with students and with the raiyats of the country?—Yes.

9621. You lay great stress upon the importance of a candidate, after he has passed his examination in England, having a thorough training in India prior to taking up his work?—Yes.

9622. You would suggest that the period of probation in India should last for two years?—Yes, if possible; at least two years.

9623. Had you also in mind the importance of his taking a degree at home?—Yes, I think that it is most important that he should take his degree at the University, if possible.

9624. Have you thought what, in your judgment, would be the best age-limits for the examination?—No, I have not thought that out.

9625. What would you say, from your experience, would be the most appropriate age for a candidate to begin work in the service out here?—I should think about 24 or 25.

9626. And that would be subsequent to his two years of training in India?—Yes

9627. Twenty-four or 25 would mean that he would come out about 22?—Yes, 22 or 23.

9628. So that he would have to pass his preliminary examination at an early age?—I think it would be better if it could be put off longer; if he could come out here a year or two later. I thought, however, that there were great difficulties in that respect.

9629. You consider the training in India to be almost as important as a good general education?—Yes. I do not think you can determine by an examination whether a man is capable of ruling out here or not; or whether his temperament is the right temperament for India.

9630. What kind of training would you give him?—I should like him to be put to his work as he is now, if possible, and that he should be put under some experienced man when he goes to his first station, who would watch him and guide him in his work, and see how he deals with people and how he stands the various difficulties out here, such as the climate and other things.

9631. That is the practice at present, is it not?—There is no probation out here, is there? As soon as he comes out he is a member of the Civil Service.

9632. In his first year he is placed under a Collector?—He is placed under a Collector; but it does not seem to be the Collector's business to train him in any way. It entirely depends upon who the Collector is. It is not his business to do it, as far as I can see.

9633. You would like to see something of a more practical nature?—I should like to see it one of the chief duties of the Collector under whom the men are placed, to train them the first two or three years.

9634. Do you think that the work of the Collector would allow of his giving to the candidate what you would consider to be the right amount of attention?—I think it is so important that his work ought to be arranged so that it should.

9635. Have cases occurred within your experience in which harm has been done owing to the absence of this training?—I have noticed that there is a very great difference if there happens to be a Collector who does make it his business to train people and put them in the way of things. I have noticed that there is a very great difference in the men who have been put under such a Collector. Instead of it being an accident as it is now, I should like it to be a part of the system.

9636. You think that with two years of training the candidate would be able to find out what is required of him?—Yes, I think so. It would have to be at least two years.

9637. (*Lord Ronaldshay.*) I see you hold the opinion that military officers make satisfactory administrators. In fact, you are rather disposed to think that, under the present conditions, military men may be more sympathetic administrators than some of the junior members of the Civil Service, is that not so?—Yes; I think they have had more education in dealing with men.

9638. What experience have you had of military officers in the position of administrators out here?—I have had very little experience. I have only known about two or three; but I have known a good many Indian officers of Indian regiments who are trained in this kind of way when they first come out, and they do seem to understand—in fact they are made to understand—how to deal with the people they are working with, Indian officers and men.

9639. You have had no experience in this province of military men occupying Civil Service posts, have you?—No; I have only had a little experience with regard to that in Assam. I have had no experience in any other part.

9640. In Assam your experience was that these military men made good administrators and were sympathetic towards the people?—Yes.

9641. Would you advocate the intrusion of a portion of the military men into the Civil Service cadre in an advanced province like Bengal?—If other things were equal. I mean that I should only advocate it if a system could not be devised by which Indian Civil Service Civilians could get some kind of training in dealing with and in ruling men.

9642. With regard to the question of the training of Civilians, the present system is that a man, when he has passed his competitive examination, is supposed to have completed his general education; having done that, he is expected to go through a period of probation in order that he may undergo certain studies in special subjects which are necessary before he can come out and take up his work in India. Am I to understand from your answer to that question that you think the period of probation in England ought to be done away with, and that a period of training in India ought to be substituted for it?—No, I meant added to it.

9643. You do not wish to knock out the period of probation in England?—No.

9644. You wish, after a man has gone through his period of probation in England, that he should come out here and spend two years for the purpose of undergoing practical training?—Yes.

9645. Is not that precisely the system which is in force at the present time? In answering the Chairman you said that it depended very largely on the character and temperament of the district officers as to whether junior Civilians get satisfactory training or not?—That is my experience.

9646. That rather suggested to my mind that no particular rules or regulations were laid down for the training of junior Civilians?—I do not know whether there are any rules or regulations or not; but that seems to be the effect of the system: it is as though there were not any

9647. I understand that the present rules for training junior Civilians are these :—

> " Junior Civilians are sent to selected Collectors to be trained in the actual work of a district; they are put through the various departments and familiarized with the working of every branch of district administration. They have to report six defended cases tried in the court of a first class Magistrate, and six cases at the Sessions, and they must undergo a six weeks' training in the treasury. They have to spend also three or four months in a settlement camp. The system of training prepares them to hold charge of a subdivision; and subdivisional work is the most valuable part of their training for higher offices. Putting aside the question of the training of judicial officers, the present arrangements for training junior Civilians after their arrival in India appear to be suitable."

That seems to me to fairly well cover the ground as far as training is concerned. Is there anything that you would like to add to that?—It does not train them as to how they are to deal with people and treat them properly. It does not tell them all the little necessary things one ought to know in India so as to avoid making bad mistakes among people and giving them wrong impressions. It does not seem to give them the training which men have in an Indian regiment.

9648. Can you suggest any remedy for the defects which you conceive are existing under the present system?—I should like the Magistrate, under whom the new men are put, to have it made part of his work in the same way as it would be the business of the Adjutant or the Colonel of a regiment to watch how the men do treat people, and how they stand the climate of India: whether they seem to prove themselves to be fit to rule people or not, quite apart from the fact as to whether they know the technical part of their work.

9649. Assuming that the district officer does that, and assuming in some cases that he was not satisfied with the recruits under his charge, what would be his remedy: would these recruits be weeded out of the service, or what would be done with them?—That is what I mean. If he gave an unsatisfactory report of them, and the authorities considered that that was sufficient, and that he was capable of judging, the recruits would be weeded out—the object of probation being to weed them out.

9650. Have you ever considered what the effect of that might be upon the recruitment of the service in England? If a candidate in England has gone through a long and expensive education, if he comes out successfully through his competitive examination, if subsequent to that he has passed through his period of probation in England and passed his final examination, and then has come out to India and spent two years in preliminary training in the service, and then may be told that he is not wanted, does not that rather destroy that man's career in life?—It is only adding two years to the risk attached to it. I consider that this is so important that it would be better to shorten the time of his probation in England rather than not have this probation at all out here, because it does not seem to me that any probation in England can test the man as to whether he is capable of ruling out in this country.

9651. I do not want to press that point; but you have considered that it might have an unfortunate effect upon the recruitment for the service in England—I mean a system such as you have advocated?—It would make the probation harder.

9652. When you speak about the deterioration in the knowledge of vernacular languages on the part of Civilians, you are speaking especially with regard to the Presidency of Bengal, and you give as one of your reasons for thinking that the knowledge of the language is less on the part of Civilians than it used to be, the fact that they come very little into contact with the raiyat: do you think, in the case of Bengal, that that is probably largely due to the fact that a greater part of the land is permanently settled, and that is one of the reasons why they come into contact with the raiyats so very little?—No, I do not think that that is the reason at all.

9653. Will you tell me why you think that Civilians to-day do not come into contact with the raiyats in the districts?—Because even in the time I have been out in India, the office work has multiplied enormously. It is not because they do not want to come into contact with them, but because they have not the time. They have to spend so much more time in the office now than they did even when I first came out. We had Magistrates then who were very much in contact with the people, and it seems to me that the ones that we have had since have very much regretted that they cannot come more into contact with the raiyats. They have found it impossible.

9654. It would be difficult to find a remedy for that?—Yes.

9655. (*Sir Theodore Morison.*) How do you ensure that men who come out for Mission work secure a knowledge of the language?—Most people have an examination to pass.

9656. You have an examination?—We do not make it a necessity, but most Missions do.

9657. What is the standard of those examinations? How does it compare with the departmental examinations?—It is very much the same standard.

9658. Is it a fact in practice that men who are engaged in Mission work know the language much better?—I do not know that they know the language much better. It requires a good deal of practice. You have to be constantly talking the language with the raiyats, otherwise you get very rusty. I think a great many Civilians do get very rusty so far as speaking the language with the raiyats is concerned, because they are not able to spend very much time with them. They come chiefly into contact with the raiyats now through English-speaking people.

9659. Is the deficiency in knowledge of the language chiefly a deficiency in knowledge of the language spoken by the raiyats, or a deficiency of the knowledge of the language spoken by the educated people?—In Bengal nearly all the educated people speak English. A Magistrate would nearly always do his work in English. I have been referring to the language which the raiyats understand.

9660. Which language is it necessary for the Missionary to know? Does he speak the educated language, or the language of the villagers?—He knows both.

9661. How can you secure that he knows the language of the educated people, because according to your statement he does not get a great deal of practice, and he must keep it up?—I suppose he would keep it up chiefly by reading.

9662. I understand that there is a large Bengali literature. To what extent is that generally known? I do not know anything about it myself, but I understand there is a very considerable and growing Bengali literature, is there not?—Yes.

9663. Would your standard of the knowledge of the vernacular include a knowledge of the literature?—Yes, I thought the Civilians had that knowledge.

9664. They read Bengali novels?—I do not know that they do after they come out, because I do not think they have the time.

9665. Is that knowledge common among Missionaries?—Yes, I think it is fairly common.

9666 Would you expect a Missionary generally to be more or less *au courant* with contemporary literature?—Yes, I would.

9667. (*Mr. Chaubal.*) With reference to your answer to question (12), do you think it is necessary that a person should be both "born and domiciled within the dominions of His Majesty"? I wish to ask you whether you think that the definition which requires a person under the Act of 1870 to be both "born and domiciled within the dominions of His Majesty in India" is necessary: or whether "born or domiciled" will do?—I think if the word "Native" is used, it had better include everything which is included in the present definition.

9668. The present definition requires that a person should be both "born and domiciled." Supposing a person accepts India as his domicile, and he is not born there, would you exclude him from the benefits of that Act?—No, I do not mean that at all.

9669. Question (31) says: "Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend." To that you reply, "I consider that the same type of probation is necessary for those who are Natives of India as for the others. And I apprehend that if the probation is strict, the number of Indians admitted to the Civil Service will not be so great as it is now." Is it your opinion that the number of Indians who are now in the Civil Service is a great number?—I do not think it is a large number. I think it is as great as it ought to be at present.

9670. But I suppose you wish that it should be less?—I do not mean that.

9671. You say here, "If the probation is strict, the number of Indians admitted to the Civil Service will not be so great as it is now"?—I think it probably would weed out a good many of the men who at present apply; but I do not wish less Indians to be in the Civil Service if they are fit for it.

9672 Your answer rather implies the other way. You, of course, wish the probation to be strict?—Yes.

9673. And if it is strict, you do not know what the result will be upon the English Civilian, but you say, "If the probation is strict, the number of Indians admitted to the Civil Service will not be so great as it is now"?—At present I do not think it would be.

9674. That means that the probation should have been strict, and the number of Indians should have been less?—Or the standard of the Indian shoulds be raised.

9675. You know the ordinary duties of a Collector of a district, do you not?—Yes, more or less.

9676. And you know the ordinary duties of the judicial head of a district, called the District and Sessions Judge?—Yes.

9677. With reference to the ordinary duties of the Judge and Collector, I wish you to tell me some concrete instances where the necessity for ruling as you put it, comes in. You want fitness to rule. You do not approve of competitive examination because it does not necessarily ensure the ability to rule people. I want you to give me a more definite idea of what is passing in your mind when you say that it is necessary for a Collector, in the satisfactory discharge of his duties, to know how to rule them. What is he to do in the ordinary discharge of his duties in order to be able to rule them? What is he to do when he is going to rule them?—I do not mean by "rule" to domineer over them, but to know how to treat them, and how to look at things as they look at them. He is over them, and they are under his rule.

9678. And the District Judge?—The District Judge's business is not so much to rule people. He has simply to try the cases that come before him.

9679. As far as the District Judges go, the capacity to rule men is not so necessary as it is in the Executive officer?—No, it is not.

9680. According to what you now say, you consider it to be an essential part of the capacity to rule, that he should be able to know what the people are thinking and feeling, and that he should be able to treat them with greater sympathy?—That he should know more how they are thinking and what they are thinking, their ways of thought.

9681. Do you think that an Indian is not capable of doing that?—I think an Indian is eminently capable of doing that.

9682. (*Mr. Gokhale.*) You said in reply to a question put you by Mr. Chaubal that you thought the number of Indians in the Indian Civil Service was as great as it ought to be. Do you know what number has got into the Indian Civil Service during the last five years?—No, I do not know.

9683. I find that out of a total of 272 successful candidates 12 were Indians, which means only 4½ per cent. Do you consider that that number is as great as it ought to be?—I did not mean that at all. I only mean that they ought to come up to a certain standard.

9684. You do not mean to suggest that Indians know even less than Europeans how to treat the people under their charge, because you say here, "If the probation is strict the number of Indians admitted to the Civil Service will not be so great as it is now." Do you mean to suggest that Indians know even less than English youths how to treat their own people?—No; but I do not think they are so capable at present of bearing responsibility.

9685. As far as I understand your proposal, it is this. After the men have passed the competitive examination, and after they have completed a period of probation in England, you would place them under some Magistrate in India for a further probation. You say here that a Magistrate's chief duty with regard to them should be to shew them how to deal with, how to behave to the people with whom they have to work, and you think that during this period of probation a good many Indians who pass the Civil Service examination will be weeded out; which means that a good many Indians would not know how to behave towards their own people?—That is not the conclusion which I meant to be adduced from that at all.

9686. How would they be weeded out?—It would be found that they were not capable of bearing responsibility as yet.

9687. Do you mean to say that Indians who get into the Civil Service are found not to be capable of bearing responsibility?—I do not mean to say that. That is where they would have to be tried.

9688. Why do you say that a good many of them would be weeded out?—On that account.

9689 That means that you think a good many of them are not of the kind to bear responsibility?—I do not think they are so good at it as Englishmen.

9690. (*Mr. Sly.*) In your evidence regarding the military officers, you have expressed certain opinions, and just now you said that was partly based upon your experience of military civilians in Assam. Have you ever been stationed in Assam?—I have not been stationed there. But we have a Rest-house up there, and I go up nearly every year, and I get to know a good deal about what goes on.

9691. Do these military officers stationed in Assam work amongst the same sort of people, and do more or less the same sort of work under the same sort of conditions as the Civilian would have in the lower provinces of Bengal?—The work among the raiyats would be very much the same.

9692. Is it not the case that military officers are employed in Assam largely in the hill districts in connection with work amongst the hill tribes on the frontier, and in more backward parts than in the more highly cultivated and more advanced parts of Bengal or Assam?—Yes; their work is more in the hill parts, but it is also in the plains.

9693. With reference to your remarks as to the training of military officers and Civilians, have you taken into consideration, in your estimate of the value of the military training, that the military officer has such training under entirely different conditions from those possible for a Civilian; he is trained with a body of men, soldiers, who are under strict discipline, and who also are drawn from a very different class from those of a highly educated community? What I should like to know is whether you think that such training under those special conditions could be hoped to succeed in the case of a Civilian who has to carry on his duties amongst a different class of people, brought closely into contact with the educated classes, and under altogether different conditions from those in which the military civilian has to treat the rank and file?—The parallel I should like to see is that Civilians should have as much dealings with the people for whom and with whom they have to work, as men in a regiment have in order to deal with the people for whom and with whom they have to work. I do not mean to say that the conditions are at all similar, but that there is the same necessity for training for dealing with men in India.

9694. The system of training which you recommend under the Collector, with special attention paid to particular matters upon which you lay stress, is, as a matter of fact, the present system which is enforced or is laid down by the Government of Bengal. I suppose your opinion would be that, if that were the system, the method of carrying it out is nothing like thorough enough?—Yes, if it is the system.

9695. The present work is not so good as you would like to see?—In my experience it depends upon the Magistrate whether a man under him is trained or not.

9696. The Government orders direct that junior Civilians shall only be placed under specially selected Collectors whom they consider specially qualified to undertake these duties. I gather from your opinion, that, although it may be the case, the results are not so good as they ought to be in some cases?—It does not seem to me to depend upon the system whether the results are good, but upon the men.

9697. The orders do lay stress upon the men, but the result is not good enough; is that your opinion?—From watching the results, I should not have thought that there was any system.

9698. You are brought into close relationship with student life; you have charge of a hostel of Indian students, I believe?—Not now.

9699. You have had?—Yes.

9700. You are a member of the governing body of the college, are you not?—Yes.

9701. It would be a very interesting thing, I think, if you could tell us from your intimate knowledge of student life what are the ambitions with regard to the future career of the students of the present day; what careers in life do they chiefly desire to follow?—They desire to get posts in Government offices; or they go in for law. They have no other ambition as far as I know.

9702. Can you tell us whether the attractions of the Provincial Civil Service at the present time are or are not sufficient to secure the best students who desire to enter that service? Does the legal profession attract the best students with whom you are acquainted, or does Government service attract the best students with whom you are acquainted?—They seem to me to look out chiefly for posts that will bring them the most rupees, and very little else.

9703. That is the point I want to get: what posts do they consider will bring them the most rupees? As a matter of fact, do the best students aim at Government service, or aim at the legal profession?—I suppose most students aim at Government service.

9704. You consider that the present attractions of Government service in Bengal are sufficiently good to induce the best students of the country to take it up?—Sufficiently good as regards money prospects?

9705. As regards money prospects, and the whole conditions of service, are they sufficiently good to induce the best students with whom you come into contact to enter that service?—Yes, they are the best they know of.

9706. (*Mr. Macdonald.*) As regards your evidence, you want the man who comes out here after having passed his open examination not to be regarded as a member of the Civil Service until he has been tested?—Yes.

9707. He has no lien upon the service if he is discharged?—That is what I mean.

9708. He goes to a Magistrate, I understand, to be tested in this way. Would you select the Magistrate to whom he has to go?—I should like the Magistrate under whom the junior men are trained to be selected very carefully.

9709. Will not that put a specially heavy strain upon certain Magistrates?—Yes. I think it would.

9710. Would it not be rather a serious reflection upon Magistrates who did not get the training of the youths?—No; I did not mean to make any reflection; but it seemed to me that there was no system under which they felt they were obliged to train the men under them.

9711. I want to see exactly what you have in your mind. If we were to recommend such a scheme as this, would it not, as a matter of fact, cast a somewhat severe reflection upon the men who are not entrusted with the training of the would-be Civilian?—In my experience in Bengal there are certain districts which are considered the best for the training of junior Civilians.

9712. Is that owing to the districts themselves, or to the Magistrates who are there?—It is on account of the conditions of the districts. I should like the Magistrates who are put into those districts to be selected for this purpose.

9713. And the Magistrate would settle whether a man is fit to pass into the service or not? Is it to be done on the *ipse dixit* of this Magistrate, or is there to be an examination?—I have not thought about that.

9714. It is an essential point, however, in your scheme, is it not?—It is an essential part of my scheme that there should be probation, and some system by which the man could be tested, and his work judged on.

9715. You are not prepared to say whether the Magistrate himself should say whether the man is going to pass in or not?—I suppose his word would have very great weight indeed.

9716. Do you think in judging the relative qualities of Englishmen and Indians there would be any prejudice in the Magistrate's mind?—No, I do not think so.

9717. Would you have any objection if that Magistrate were an Indian?—Not if he were qualified in other respects.

9718. You would allow the Indian to value the relative merits of the Englishman on the one hand and the Indian on the other?—I have not thought about that matter.

9719. You say in answer to question (36) that there is deterioration in the knowledge and in the use of vernaculars, and that it is owing to a gradual increase of office work done in English and so on. Would you tell the Commission whether you find that, in spite of these impediments, like the increase in office work done in English, there is considerable difference between Magistrate and Magistrate now? My point is this. I would like to get your opinion about it. Two Magistrates working under precisely the same difficulties show very different qualities so far as the qualifications contemplated in question (36) are concerned?—Yes.

9720. So that when all allowance is made for the increasing difficulties of our men keeping in touch with the raiyats and with the common people, you do find that a good man still remains a good man, and an indifferent man remains an indifferent man?—Yes; but I think all the Magistrates desire to be in much more contact with the raiyats than they find it possible to be.

9721. That may be so, but there is a difference between Magistrate and Magistrate?—Yes, of course.

9722. And a very considerable difference between Magistrate and Magistrate?—I should not say a very considerable difference in that respect. I think all Magistrates are desirous of being in contact with the raiyats, as far as I have seen.

9723. (*Mr. Madge.*) Although you have not explicitly said so, one of the fair implications of your answers is that you do not approve of the present competitive system as a test for the Civilian candidate?—That is so.

9724. But from your later remarks I understand that all the improvements you desire to bring about relate to a probationary period after they have passed the examination?—In India.

9725. In one place you say you think they ought to come out later to this country, which I gather to mean that you want their character to be developed as much as possible at home; while in another place you attach great importance to the probationary period in India. Apart from the mere contradiction between those two statements, you are not satisfied with the Civilian service, but you do not suggest any improvement in the test of character before a Civilian is appointed: you do not suggest any better test than the mere competitive examination as regards the character of the candidate before he comes out?—I have not thought at all about what is to happen before he comes out. My whole point is what is to happen after he comes out.

9726. Do you not think that much of what happens after he comes out depends a good deal on what happens before he comes out?—Yes. That is why I said I thought that a University degree was of very great importance.

9727. Do you think that the competitive examination fails to test a great many of the qualities of an English Civilian that are of use to him in India, and would not test the qualities of any other race brought up under the heredity and environment of the Englishman? Do you not think that the competitive examination fails to test a great many qualities of the

Englishman which we assume because he is an Englishman: people of all races are moulded by their heredity and their environment, and so is the Englishman and Indian and everybody else?—Yes.

9728. But, the competitive examination, does it or does it not, in the case of the Englishman, assume and leave out altogether a great many things that are not tested by the competitive examination?—Yes, I think it does leave out a great many things.

9729. You have no suggestion as an educationist to make as regards the test of character before appointment to the Civil Service?—You mean in England?

9730. Before appointment: before coming out?—I should like the chief test of character to be out here before appointment. I think the character would be best tested by seeing how the man deals with the people in India, and how he bears the various difficulties of the climate, and other things.

9731. You do not think, as has already been asked, that that would affect the class of candidates who offered for examination if they knew they would be thrown out after accepting a career?—I should have thought it would have improved the class of candidates.

9732. In answer to question (22) you have said that "Military officers as a rule have had better training for dealing with and behaving to the people with whom and for whom they work." Your attention has already been called to the fact that for the most part they deal with an entirely different set of men, sepoys and others, from those that are found elsewhere?—Yes.

9733. Have you any further remarks to make as to what this better training actually consists of in personal contact?—I mean that the whole conditions out here are quite different from anything we have in England, and the people we have to deal with are very different indeed. Their ways of thought are very different from our ways of thought, and you cannot say whether a man is capable of being a Civilian unless he has been tested out here as to whether he can deal rightly with the people who are under him or with whom he works.

9734. In your answer to question (30), you desire that they should be taught "how to deal with and to behave to the people with whom and for whom they have to work." Have instances of what you considered to be wrong behaviour come under your personal observation?—They make a great many mistakes which appear to Indians to be wrong behaviour and give a very wrong impression. I do not mean that they mean to do so; but there are a great many things that one has to learn out here as to how to behave. Manners are important everywhere, but they are of great importance in India—of special importance.

9735. But, quite apart from how a matter appeals to one class of mind or to another as to whether it may be right or wrong, do you mean to say that you have detected anything that you consider wrong?—Morally wrong? No, I do not mean that at all.

9736. Later on, in answer to question (35) you refer to the irritation caused by young officers, and you say that they are "considered by th educated Indians who have known them in thei early days, to be their enemies rather than thei friends." Is it or is it not possible that a educated Indian may regard the conduct of Civilian from an entirely different standpoin from that in which an educated Englishma would regard it?—Yes, it is possible.

9737. From your own experience wha would you say?—I should say that the India people mistake us very much indeed. They might often consider that a man was no working for their good or for the good of Indi because of certain little acts of his external behaviour, or even in his way of addressing people.

9738. The point of my question was t ascertain from you what you thought of th possible different standards from which two classe of people regard the conduct of a man. What I mean is this. A raiyat may have one standard o conduct and not think that he has been ill-treated; whereas an educated Indian might have another standard and think that he was not well treated?—I have referred to well-educated people. I have never come across a case of raiyats being ill-treated by a Civilian. They always think him to be their friend and protector.

9739. Although it is quite right for Government to consider the demands of the educated class, do you, or do you not, think that generally their policy should be based upon the interest and the feelings of the vast masses in preference to those of any limited class?—I think it is most important that they should be friendly with the educated classes. They are the people who express everything: the raiyats, unfortunately, cannot.

9740. I quite agree with you that the educated classes ought to be represented. The point of my question is this. Is the Government of this country to base its policy with reference to the real interests of the great masses, or the demands which may or may not be in the real interests of the educated classes?—I think it ought to consider the great masses chiefly; but a man does not rule the great masses less well because he has been taught to behave rightly to the educated people.

9741. As far as you are aware, do the feelings and wishes of the educated classes and those of the masses generally run parallel to one another in the same direction; the educated classes and the masses generally?—I do not think they run parallel at all.

9742. (*Mr. Abdur Rahim.*) What experience have you had of Indian members of the Civil Service?—I have not had very much experience.

9743. Have you known the work of Indian District Magistrates at all?—Very little.

9744. When you said that Indian members of the Civil Service required strict probation to be enforced, so that they might be weeded out to a larger extent than Englishmen, you are simply saying that upon hypothetical grounds?—No, I have not actually known many Indian Magistrates: I have known some of course.

9745. I am asking you about the Indian members of the Indian Civil Service. You were not speaking from experience when you said that you thought that they were not so fit to bear responsibility as other members of the Civil Service?—I am not speaking from very much experience.

9746. You said, as regards the careers open to Indian students, that they are generally ambitious to enter the public service: will you kindly tell me what, in fact, are the careers which are open to Indian students or to the educated Indian classes?—There are very few careers open to them, unfortunately.

9747. Tell me what are the chief careers open to them?—Clerkships in Government offices and all kinds of merchants' offices. The vast majority of the students go in for clerkships.

9748. Anything else: the profession of law?—Yes.

9749. Anything else: school and arts?—Yes.

9750. These careers are very limited, are they not, compared with the careers which the English student would have in his own country?—Yes.

9751. I suppose you do not mean any blame to be attached to Indian students in having a desire to enter Government service in their own country?—No; I do not mean to blame them.

9752. It has been suggested to us elsewhere that it might be advisable to place junior Indian Civilians under Indian District Magistrates. I take it from what you have said before that such a step might help to carry out your idea of infusing more sympathy into the Indian Civil Service?—I have never contemplated that.

9753. It has been suggested to us: would not that carry out your idea?—It might in some respects. I did not mean to suggest that Civilians were not in sympathy, not at all. I do not think that is the case.

9754. I think you said that the *raiyats* were not ill-treated by the Civilian, but that the treatment of them was to some extent defective?—Defective, chiefly from ignorance of what easily might be taught him with regard to the way to behave.

9755. If the Indian District Magistrate is of the right sort, he might instruct Junior Civilians under him in those points?—Yes, he might in those points.

9756. I should like to know what you meant when you said that Indians might be "weeded out"—eliminated—on the ground that some of them might not be found fit to bear responsibility. Perhaps you can tell me in what particulars?—My experience of them is not only in the service, but of Indian people generally with whom I have come in contact, that they are not at present fit to bear very much responsibility, and that if any crisis happened in a district you might not be able to depend upon them.

9757. You cannot give us any more particulars than that?—No. That is my general experience of the Indians with whom I have had to do

9758. You lay a great deal of stress upon the necessity of dealing properly with the raiyats, that members of the Civil Service ought to be able to understand the raiyats better. I want to know whether in using the term "raiyats" you mean those who are not of the educated classes: is that what you mean?—Yes.

9759. You do not want to confine the term to actual cultivators of the soil?—No; I meant the uneducated classes in general.

9760. I suppose you attach importance to members of the Indian Civil Service dealing properly with the educated classes with whom they come into contact?—Yes, I think they do deal properly with the *raiyats*.

9761. No. I mean with the educated classes?—That is what I was referring to chiefly.

9762. Do you say that their relations with the educated classes are all right, or not?—I think, as a rule, they are when they have become a little senior; but they are apt to make a great many mistakes at first.

9763. Even in dealing with the educated classes?—Chiefly in dealing with the educated classes.

9764. (*Sir Valentine Chirol.*) You have expressed the opinion that Indian officials, and Indians generally, are not as a rule at present equal to taking great responsibility. Are they not exposed to forms of pressure, to which the English official is not exposed, owing to the social conditions of this country, and which would naturally make them more afraid to undertake responsibility than the English official would be?—Yes, I think that might be the case. Most of the senior officials whom I have known have tried to put Indians in places of responsibility. I think they do their best to do so, but they have found that they are not capable of bearing it as a rule, as yet.

9765. Quite so. But what I wanted to ask your opinion about was whether there were not, in the social conditions existing in this country, special reasons why it is more difficult for an Indian official to take the consequences of assuming responsibility than it is for the English official who is not exposed to the same forms of pressure and the same temptations?—I do not think I understand what conditions of pressure you mean.

9766. The Englishman, for instance, has no vested interests in the country, and is not connected with anybody who has vested interests in the country. He is not connected with any particular class of the community or any particular caste, either with the landholders or the commercial people. Is that the case with regard to Indian officials?—No, I think that is part of the reason—because so much pressure is put upon them from without—why they would not stand a crisis so well.

9767. I only wanted to get your reasons for it. You do not consider that competitive examination in the case of Englishmen tests the moral qualities; the various qualities other than intellectual that are required to fulfil their duties as administrators in this country?—I should not perhaps say "moral qualities," but our own experience is that men who are quite capable of doing very good work in England, and who have no moral disabilities, would not necessarily be capable of doing it out here. Climate and the various difficulties of the country have so many effects upon one.

9768. Do you think that competitive examinations are better fitted to test the qualities of Indians for the purpose of administration?—Not better fitted.

9769. That it would be still more difficult to test the Indian than the Englishman?—I think it is necessary to test both in their work, and until you have done that I do not think you have tested them.

9770. You wish both the Natives of India who pass the Civil Service examination, and the Englishmen who have passed the Civil Service examination, should undergo a period of probation before they actually become members of the Civil Service?—Yes.

9771. You have explained to us what your purpose is with regard to English probationers, but could you explain to me a little more clearly what your purpose is with regard to probationers who are natives of this country: to what special purpose you would direct that term of probation in their case?—To test them as to how they dealt with the people, the uneducated classes, and as to how far they could bear responsibility as far as that could be done in a period of probation.

9772. Do you think that those qualities would be more frequently displayed by Indians who have been educated entirely in this country, or by Indians who have been educated partially in England?—I do not think I could form any opinion about that. I have not thought enough about it.

9773. You have not considered the relative effects of western education upon Indians educated only in this country and upon Indians educated partially in England?—Yes, I have considered the effects; but I think it is very difficult to come to any general conclusion.

9774. Your consideration has not led you to form any definite opinion as to whether education in England confers any distinct benefit upon young Indians which can not be conferred upon young Indians by western education in India itself?—I do not think one can say. In many cases I have known it has benefited them very much: in other cases it seems to have done exactly the opposite.

9775. In fact you cannot express any opinion to guide us one way or the other in that respect?—No, I do not think I can.

9776. (*Sir Murray Hammick.*) As regards that last question put to you by Sir Valentine Chirol, have you had experience of Indians going home to England for a training of one or two years at the outside, and not more? What is your opinion generally as to the effect of that training? Has it been sufficient to at all saturate them with any real western notions or western features of character; I am speaking of a short stay of one or two years?—I do not think it has, as a rule, but I do not speak from very much experience.

9777. It has been suggested that if simultaneous examination took place in India, quite a sufficient impress of western character and notions would be given to these students by sending them home for either one or two years: you do not think that would be the case?—I do not think so.

9778. You have not given us any opinion as to simultaneous examination. I do not wish to ask you about that point, but I should like to ask you, if simultaneous examinations were instituted in India, and the curriculum of the examinations were somewhat altered in the direction of giving Indian subjects higher value than is now given, whether you think that a very large number of students would go up for those examinations: do you think the examination would be so attractive as to draw a very large number of students to the competition in this country in the next few years?—I do not think I could form an opinion.

9779. Some witnesses have said that the examination would be of such a stiff character that very few students would go up: others, on the other hand, have told us that a great number of students would at once appear. Have you formed any opinion about that?—No, I have not.

9780. I suppose you are fairly well acquainted with the cost of the University education in Lower Bengal?—Yes.

9781. I should like to hear from you if you can give us an outline of what you consider would be about the cost of University education, beginning with the Matriculation and going up to the M.A.: it is a period of 5 years, I suppose?—Yes.

9782. I mean what are the fees at the University to begin with for each year?—There are a good many people here who know about that better than I do. I cannot remember.

9783. If you do not know the fees, perhaps you can tell us what you think would be the cost of life at the hostel, on the part of the student, in Calcutta: what does living in a hostel cost per annum for a student?—A student can do everything for Rs. 20 a month.

9784. That is including his fees at the University?—Yes; or Rs. 25 at the outside.

9785. That includes fees, and board and lodging in the hostel?—Yes.

9786. You say it would be Rs. 25 a month?—Yes, I think so, unless prices have gone up very much since I was in Calcutta. That is about what the cost used to be.

9787. With that, education, to go from Matriculation up to M.A., of the Calcutta University, takes about five years?—Yes.

9788. As regards the suggestions made in your paper, you understand that your Indian probationer would have passed in England, and therefore he would have had one year's training under the present conditions in England?—Yes.

9789. Has it not occurred to you that the relative standards which would guide an officer in this country in coming to a conclusion as to whether a probationer should continue his course as an I.C.S. officer, would naturally become very different as regards an Indian and as regards the English probationer, because the punishment which would happen to an English probationer who was turned out after two years' probation in this country would obviously be a much more severe punishment than the punishment which would fall upon an Indian if he was turned out in his own country? Do you not think that it would really be almost impossible to work?—I think that the matter is so important that it ought to be tried. There may be hundreds of difficulties I have never considered.

9790. (*Mr. Bompas.*) Is it a fact that the Bengali spoken by the cultivating classes in different parts of Bengal varies considerably?—Yes.

9791. And that the officer who has acquired some fluency in the Bengali spoken in Western Bengal would find himself very much at sea when talking to a Muhammadan in Bakarganj?—Yes, he would, at first.

9792. Therefore, he would have to make some mental effort to master that language when coming new to the district?—And he would have to be in contact with the people a great deal.

9793. It makes intercourse more difficult?—Yes.

9794. The difficulty might, to some extent, be avoided by endeavouring to keep officers to the different parts of the country where there are the forms of language which they have mastered?—Yes.

9795 (*Mr. Mukherji.*) You have said that Indian people often mistake the motives of Englishmen by the manner in which Englishmen behave towards them. Would you explain that more fully, or give a concrete case?—I would not like to do that.

9796. How do you make out that this sort of thing happens? Has it ever come within your personal experience?—Yes, often.

9797. Is it on account of the Englishman being misunderstood owing to his lack of knowledge of the language; or what is it, really?—It is very difficult to put into words what it really is. The Englishman, *e.g.*, very often does not know how to address the people.

9798. That comes from a want of knowing the language?—Not a want of knowledge of the language, but a want of being told by somebody how an Indian likes to be addressed.

9799. Do you not think that the rules of courtesy and good breeding are almost the same in all countries?—The expression of them is very different indeed.

9800. But if an Englishman only behaved himself to an Indian as he would behave towards a man in his own country, an Indian would be quite pleased, would he not?—I do not think that that follows. A good many outward expressions of manner would have to be changed.

9801. (*Mr. Sen.*) Do you know anything about the Provincial Judicial and Executive Services?—Very little. I have not studied the matter at all.

9802. Do you understand what is meant by the expression "Munsif"?—Yes.

9803. Did you understand before you came out to this country what the expression "Munsif" meant?—I should not have known when I first came out to this country.

9804. Is it a fact that the expression "Munsif" is not generally understood by European gentlemen in the sense that it is meant to be an Indian civil Judge?—I think it is generally understood by people who have been out any length of time.

9805. Do you not think that the expression "Munsif" is out of date and should be substituted by the expression, for instance, "Assistant Judge", so that people may understand at once what the expression means?—I think anybody who has had anything to do with the service would know at once what was meant.

9806. But anyone who has not been in the service would not understand it at once?—No.

9807. I consider the expression to be out of date now because it is a relic of ancient times.

(The witness withdrew.)

S. P. SINHA, Esq., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

9808 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—(*a*) My experience is that it works very well. (*b*) I do.

9809 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—*Except as hereinafter stated*, I have no fault to find with the present system and no alterations to suggest.

9810 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As a system of selection, I think it equally suitable for all natural-born subjects of His Majesty, including "Natives of India," but "Natives of India" are at a very serious disadvantage inasmuch as the examination is held in England.

9811 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think it is to the advantage of Indian interests, inasmuch as it leaves it open to candidates to choose which service he would prefer to the last, and thus increases the chances of India getting the best men available.

9812 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.—Please see my answer to question (2).

9813 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I think that under present conditions it is not practicable to hold such simultaneous examinations in India and in England, if by that is meant that the men who head the combined lists of candidates must be selected, irrespective of any proportion between English and Indian candidates, *e.g.*, if 50 men have to be selected out of 200 candidates, appearing partly in India and partly in England, and the first 50 in the list are all Indians (a result which is possible, though extremely improbable), I do not think it possible to give all the appointments for the year to these 50 Indians.

9814 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—My opinion is that a fixed proportion of the vacancies in the Indian Civil Service cadre should be filled by "Natives of India," recruited primarily as the result of the examination held in London and, if necessary, supplemented by the result of the same examination (if possible, and if not possible then a separate examination of a similar nature) held in India. I would recommend that such proportion should be one-third of the total number of vacancies. An illustration will best explain my idea. Suppose there are 60 vacancies. Twenty should be reserved for Natives of India. If the list of successful candidates at the examination held in London includes 20 Natives of India, there will be no vacancy to fill up as the result of the examination in India. But if it includes, say, only 5 Natives of India, there will be 15 vacancies to be filled up by the result of the examination in India. If there are none successful in England, the whole 20 will be filled up from candidates in India. In the case of candidates appearing in India, it should be laid down that there should be a *minimum* number of marks necessary to be obtained. Though subject to much legitimate criticism. the scheme proposed above seems to me to be likely to satisfy legitimate Indian aspirations; the details I have not been able to work out in the short time at my disposal.

9815 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I have already expressed my approval of simultaneous examinations in the sense above described. But in any case I think it is undesirable to introduce the principle of representation in the matter of appointments to the Indian Civil Service.

9816 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes. Please see my answer to question (7).

9817 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—If the proportion I recommend in my answer to question (7) be accepted, I would not ask that the present system of promoting to listed posts officers of the Provincial Service should be retained. But if it is rejected, or a smaller proportion accepted, I would recommend the present system to be retained.

9818 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I am not prepared to recommend the *immediate* adoption of a separate method of recruitment for the Judicial branch of the Indian Civil Service. But I am of opinion that a beginning should be made of appointing Barristers and Vakils of High Courts of not less than five years' standing to some of the District Judgeships, care being taken to select men who have already acquired some distinction at the Bar.

9819 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—If the definition does not include subjects of Native States [and it apparently does not (see Ilbert's Government of India, page 235)] it should be so amended as to include them. In other respects, I consider the definition satisfactory.

9820 (13). If the system of recruitment by open-competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limits (22 to 24) seem suitable for both English and Indian candidates. This renders it possible for both classes of candidates to obtain University degrees before appearing for the examination. Those who do not succeed have still other professions which they are not too old to take up. It seems to me that persons occupying the responsible position of an Indian Civilian should not be younger than 24 or 25.

9821 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—24 or 25.

9822 (15). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India" and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—The same as for English candidates. No.

9823 (16). What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I think the following subjects and marks should be prescribed in addition to those already existing:—(*i*) Indian History (Hindu and Muhammadan period) 500; (*ii*) Indian History (British period) 500; (*iii*) Indian Law (Hindu and Muhammadan) 500. The marks for Sanskrit and Arabic should also be increased from 500 to 800 each.

9824 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—No.

9825 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—Yes, as at present, subject to the recommendation made in my answer to question (11).

9826 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Yes. The proportion for Natives of India should, in my opinion, be one-third, generally speaking.

9827 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes; the competitive test being applied in India, as far as it is practicable.

9828 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No.

9829 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—No.

9830 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian Services?—See above answer.

9831 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—My opinion is that the system has not been very successful. Generally speaking, such appointments have been made when the officers are too old to adapt themselves readily to their new position. I think it essential that men holding posts equivalent to those ordinarily held by members of the Indian Civil Service should have their social position and surroundings as nearly as possible the same as those of Civilians.

9832 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—So far as I know, the rule has been rarely, if ever, applied in practice. But I see no harm in retaining the power.

9833 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

9834. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes. But with regard to this question and the last, my persona knowledge and experience are very limited.

9835 (28). Please add such remarks as yo may desire to offer on any points relating to th system of recruitment for Indian Civil Servic posts which are not covered by your answers t the foregoing questions?—I should like to add t my answer to question (7) as follows:—If, fo any reason, it is considered impracticable t accept the recommendation I have made to hold a supplementary examination in India, I would strongly urge that facilities should be liberally offered to Indian students to proceed to England with a view to compete for the Indian Civil Service. Such facilities should consist (*i*) of scholarships sufficient to defray all necessary expenses, and (*ii*) reasonable prospects of obtaining other suitable employment in India, if unsuccessful at the competitive examination. But I would strongly insist that every person appointed to the Indian Civil Service should have the benefit of at least two years' training in England.

9836 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

9837 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The present period of one year and the course of study now prescribed seem to be suitable, except in the cases covered by my next answer. If the suggestion made in my next answer be accepted, it may be necessary to extend this period to two years.

9838 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—If Natives of India are appointed by exmaination in India, they should be under probation for two years; such period being spent in England, partly at a residential English University and partly in London; the latter portion being employed in a study (*a*) of the procedure of English courts, and (*b*) of the practice and procedure of the London County Council and similar institutions.

9839 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In England. Yes, I would prefer candidates selected in England to spend their period of probation in India; but I am afraid it would be idle to expect young Englishmen to come out to India without being absolutely certain of their appointment.

9840 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

9841 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first wo years of service at some suitable centre?—I take it that by *probationers* it is intended to designate those who have passed their probation and joined the Service in India. If so, my answer is that such instruction should be given as now at different centres, under selected district officers, each Provincial Government making its own arrangements for the purpose.

9842 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I believe there has been. The causes are in my opinion chiefly three in number: (*i*) more Indians speak English now than before, and the necessity of speaking the vernaculars is not so great, and (*ii*) frequent transfers, and (*iii*) greater facilities for spending their leave out of India. I think the remedy lies in raising the standard of the departmental examinations in vernaculars and in making promotion depend to a larger extent on proficiency in the same.

9843 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—The standard of the examination now held should be raised, so far as all officers are concerned. So far as officers selected for the Judicial branch are concerned, they should be selected after not more than five years of service. After such selection they should be attached to the High Court for a period of (say) one year, during which the Chief Justice should make arrangements for their seeing the actual working of the Courts. Afterwards they should discharge the duties of munsifs for a period of about two years, next those of a Subordinate Judge for another period of two years. They should also try criminal cases (original for some time), and after which alone they should be considered as qualified to act as District and Sessions Judges.

9844 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No. Practical training more than mere theoretical study is what I venture to think is necessary.

9845 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—Please see my answer to question (37).

9846 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—No.

9847 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.—Please see my answer to questions (28) and (31).

9848 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

9849 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I should abolish it as to all future entrants, increasing the salaries to a reasonable extent.

9850 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—Similar increase of salary should be granted to all members, irrespective of nationality or domicile.

9851 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—Yes.

Written answers relating to the Provincial Civil Service.

9852 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think that after reserving a certain number of appointments for nomination, the rest should be thrown open to competition, as before.

9853 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—As above.

9854 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—No.

9855 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Any inequalities in this respect may be remedied by the power of nomination to a certain number of posts. But I do not attach any great importance to this, as I am of opinion that efficiency should be the primary and essential qualification.

9856 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? Yes.

9857 (56). Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I believe that there are too few posts in the superior grades. The number should be increased.

9858 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—If this refers to the much discussed question of the separation of Judicial and Executive functions, I will only say that I am entirely in favour of such separation.

9859 (58). Are you satisfied with the present designation "the Provincial Civil Service?"—Yes.

9860 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think due regard should also be had to the salary which is necessary to enable the officer to live according to his position. The present scale of salaries was fixed many years ago and to my mind urgently requires revision.

9861 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Please see previous answer.

9862 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—Yes.

MR. S. P. SINHA, called and examined.

9863. (*Chairman.*) Would you be good enough to say what public posts you have occupied?—I have been Standing Counsel to the Government of India; I was Advocate-General of Bengal, and I was also for a short time, for about a year and a half, Law Member of the Viceroy's Executive Council.

9864. In reply to the questions you state that you do not consider that the institution of a system of simultaneous examinations in India and England would be practicable under the present conditions?—Without qualifications and conditions imposed: I have pointed out that I agree with the condition that was laid down by the Secretary of State when he sent out the resolution of the House of Commons with regard to simultaneous examinations, that there must be provision made for an adequate number of Europeans in the Civil Service. Without that provision I am not prepared to recommend simultaneous examinations for the Civil Service.

9865. The reason why you are not prepared to advocate simultaneous examinations is because you cannot see any definite assurance of maintaining that European proportion which you regard as essential to the administration of India?—I confess I think practically there is every assurance that there will never be a preponderant majority of Indians, having regard to the character of the examination, and having regard to the intellectual calibre, firstly, of the European candidates, and secondly, of the Indian candidates. But fears have been constantly expressed, and have been expressed very freely, that it might have the effect of admitting a larger number of Indians than is desirable. It is with reference to that, and to the bare possibility of such a state of things, that I say there must be a definite assurance with regard to it merely to allay the fears and anxieties which, in my opinion, are absolutely groundless.

9866. However remote may be the prospect of a large influx of Indians, you consider it important to fix a proportion now?—I think I would.

9867. Under your alternative scheme, you recommend that in the future the proportion should be one-third of Indians to two-thirds of Europeans?—Quite so.

9868. That means that there should be automatically one-third of Indians recruited into the Indian Civil Service, to two-thirds of Europeans?—I have added a proviso, namely, that there must be a minimum qualification laid down. If, as a matter of fact, there are no Indians who satisfy that provision, then there cannot be.

9869. Assuming that in any year they do not come up to that qualification, the proportion would be less by that number?—Yes, less by that number.

9870. Your proposal is that there should be first of all an ordinary examination at home, and assuming that the full one-third of Indians were not successful at that examination, that there should be at some subsequent period an examination held on similar lines in India, or on as similar lines as possible, to enable the proportion of one-third to be made up?—Quite so.

9871. Those who were unsuccessful at the examination in England would be eligible along with other Indians who had not gone to England to take part in the competitive examination in India?—They would.

9872. The remainder would be made up on a competitive basis in India?—Yes.

9873. I take it that those who had succeeded in England would be regarded as senior to those who had succeeded in India?—Yes, that is so.

9874. Their places in the list would be higher than those who would be admitted at the subsequent examination?—I should like to point out that, according to my scheme, so far as the question of pay and position and so forth is concerned, they should all be absolutely equal.

9875. You do not apprehend that those who have entered the service through this separate examination in India would be regarded as in any way inferior to those who had been successful at the open competition in England?—I do not think so, because I think their merits will really be considered later on; I mean, not so much with reference to the examination as with reference to the work that they do.

9876. You do not think there would be any feeling with regard to the examination, but that the men would be judged by their work?—That is my opinion.

9877. What do you think would be the effect of this separate examination in India: do you think that Indians would go and compete in England, or not?—I did feel some apprehension that it might have the effect, at any rate, of discouraging, if I may say so, Indians from undertaking the visit to England for the purpose of appearing at the examination there; but on the whole, inasmuch as the examination here is to be supplemental, I think there will always be a sufficient number of young men who would be willing to take the risk and to appear at the examination in England, because, under my scheme, they have preference. If they get in there they get in at once. It is only a sort of supplement—the examination held in India.

9878. You would agree that the test in England should be a more severe one than the test in India, at any rate for some time to come?—I believe so. I have no reason to think that it will be anything to the contrary.

9879. With regard to the conduct of the examination in India, who would you suggest should be the examiners?—I should prefer that the examination should be held under the auspices of the Civil Service Commissioners in England.

9880. And would you desire that the examination should be, as far as possible, on all fours, with regard to the standard, with the examination in England?—Exactly.

9881. You would not suggest that any subject of examination particularly relative to India should be introduced with the syllabus of the examination in India?—I do not think so. I think there is less necessity for it with reference to the examination in India than with reference to the examination in England.

9882. You suggest different terms of probation for men recruited in India and in England respectively, do you not?—Yes.

9883. You suggest that those who have passed the examination in India should go to England: you regard that as essential?—Yes. I think the candidates selected in India should go to England.

9884. For two years' probation?—Yes, for two years' probation.

9885. For study at a University and at the Bar?—Not so much for study at the Bar, but for study at a University, and for learning at institutions connected with Local Government.

9886. You set store upon that second point?—Yes, I do.

9887. Have you considered how such training could be carried out?—I cannot say that I have. I have attempted to find it out, but I have not succeeded.

9888. You suggest that the European candidate might spend a part of his probation in India?—Yes: but I say that that would be a counsel of perfection. I do not quite see how a probationer can be induced to come out to India with the risk of his not being taken into the service. I have said that I do not think it would work at all. I think the practical measure will be to leave things as they are as far as European candidates are concerned: that is to say, two years' probation.

9889. And thereby obviate any difficulty with regard to the relative seniority of Indians and Europeans as tested by the aggregate of the preliminary and final examination?—Yes.

9890. Do you set store by the European Civilian being trained in the customs and habits of India prior to his taking up active work?—That, again, would be a counsel of perfection. If it is to be insisted upon in the way Mr. Strong was insisting, it would be very good; but I do not see how we could stand the expense of having two years' probation in England and practically two years' training without doing any work at all in India. I think they must be trained as they go along, as they are now.

9891. I notice that you do not propose a separate method of recruitment for the Executive and the Judicial branches?—That is to say, if my recommendation with regard to the proportion being set apart for Indians is accepted; otherwise, I should give a different answer from that.

9892. Assuming your scheme to be carried out, you would suggest that a proportion of District and Sessions Judgeships should be reserved for barristers and vakils of the High Court?—I would not say "reserved." If my scheme with regard to the Civil Service is accepted, I would not then say "reserved"; I would only have liberty retained for the Government to be able to appoint vakils and barristers to these posts.

9893. Would you suggest any proportion?—It would be necessarily small to start with. I would rather not suggest a definite proportion.

9894. Under this scheme, would there be some risk of creating uncertainty in the Indian Civil Service?—There would be some risk.

9895. Your scheme entails the abolition of the listed posts?—No; that is to say, if the proportion which I have ventured to urge is accepted.

9896. But if that proportion was not accepted you would then retain the listed-posts system?—Yes, because it would give us Indians a little more in the way of sharing the administration.

9897. Do you think that a proposal to abolish listed posts would tend to discourage the Provincial Civil Service?—It would have its compensations. There would be the greater possibility of Indians getting into the higher service; and though it might not be very acceptable to men who are already in the Provincial Civil Service (and provision must be made with regard to this) I do not think it would generally be considered unsatisfactory. I do not think it will affect the Provincial Civil Service in the long run.

9898. You suggest that the system hitherto in force has not been very successful as the officers selected for the posts have reached so advanced an age?—Yes.

9899. Could not that evil be remedied by some system of selection?—It might, but I have a distrust of systems of selection. I think it might lead to favouritism, as it very often does.

9900. You would prefer the system of promotion by seniority to promotion by selection?—Yes, as a rule.

9901. In default of this scheme which we have been discussing, you suggest as an alternative the grant of scholarships to encourage more Indians to go to England for examination, and to give them a better chance of success?—Yes.

9902. Have you thought out any scheme for the award of these scholarships?—I have thought of it, but I cannot say that it is quite a scheme. It is perfectly certain that the scheme which was recommended during Lord Lawrence's Government erred on the side of recommending too few scholarships. Anything like that will not meet the requirements I have in view. A system of scholarships, in order to have any appreciable effect, will have to be on a fairly large scale. For example, I should say about 100 scholarships for the whole of India, which, of course, would be expensive. But that is a matter which I have not considered, and I do not know how far we can bear that.

9903. You have not thought out the details of any scheme?—No.

9904. But assuming that you have a round number of scholarships, whatever the number may be, would they be for the whole of India, or would you allocate them to provinces?—There, again, that is a matter which I have not thought out.

8905. But it is rather an important point, is it not?—Probably it would have to be allocated to provinces.

9906. In answer to question (28) you say, "If, for any reason, it is considered impracticable to accept the recommendation I have made to hold a supplementary examination in India, I would strongly urge that facilities should be liberally offered to Indian students to proceed to England with a view to compete for the Indian Civil Service. Such facilities should consist of scholarships sufficient to defray all necessary expenses and reasonable prospects of obtaining other suitable employment in India, if unsuccessful at the competitive examination"?—Yes.

9907. What kind of employment would you suggest should be opened to them?—The Provincial Services.

9908. How would you allocate such employment: would you institute an Appointments Board?—There would be a certain number of appointments in the Provincial Service according to my scheme which will not be made as the result of competition, though that number, I suggest, should be very small. These men ought to have a preferential claim to any such appointments that may be going.

9909. They would automatically have the first claim on those posts?—Yes. There are other services which I ought, perhaps, to mention in the Financial Department. There are appointments in the Financial Department which are very well-paid appointments, and which are considered good appointments so far as Indians are concerned. They might get some of those. There are not many; but there are generally some every year.

9910. You would give an opening in departments other than the Provincial Civil Service?—Yes.

9911. As regards training in the Judicial branch, you say that the selection should be made to the Judicial branch after five years' service, and that the selected candidates should spend the next five years in the High Court or as Munsifs and Subordinate Judges?—Yes. And also in the High Court itself under Judges, if the Judges would undertake to shew them the practical working of the High Court.

9912. Would you suggest that they should have study leave to go to England?—I have not got much faith in study leave.

9913. Why?—There is no certainty that man who has been working hard for so many years in India, when he gets the chance of getting home, would employ the few months when he gets there in working hard at books of law. I do not think it is reasonable to expect that.

9914. There would be no one in control over him to ensure that he does his best work?—They would not utilise their time for the best purpose for which the leave would be granted. It would probably be a waste of time.

9915. Could not good work be guaranteed by some means?—It might; but the examination would have to be fairly stiff; because the examinations in law, as far as the Inns of Court are concerned, are not very difficult, and if that is the kind of standard which would be laid down, it would be easy for men with a very little study to pass an examination of that kind.

9916. You would be satisfied that they would obtain all the necessary legal training in India?—Quite so.

9917. Whilst holding posts of Munsifs and Subordinate Judges, what salary do you suggest that they should receive?—The grade pay of their service. It would be worth paying for good Judges.

9918. (*Sir Murray Hammick.*) You have expressed an opinion that you think it is a groundless apprehension that if simultaneous examinations were instituted there is a chance in the immediate future—in the next few years at all events—of Indians getting a larger proportion of these appointments than you think advisable: you think it is groundless to apprehend that at present?—I have endeavoured to make it clear that I do not share that apprehension myself. But there are many people who do have that apprehension, and I think it is only right that it should be allayed.

9919. Do you not think that as soon as simultaneous examinations are instituted there will probably be a great demand in India for the curriculum to be modified in order to give Indians a fairer chance of obtaining successes at the examination, such, for instance, as increasing the value of the marks given for Sanskrit, Arabic, Indian Law, Indian History, Indian Geography and probably the vernaculars?

Do you not think that that is likely to result?—It is possible that such a demand may be made; but if made, it would have to be resisted.

9920. You think it would be very difficult to resist?—I do not know that.

9921. As regards your service that you propose, you would keep your candidates exactly in the same list as the existing Civil Service candidates are placed in?—Yes.

9922. Have you ever thought of a scheme under which you could separate off a larger number of the appointments belonging to the Civil Service which are now treated as listed, and make a separate service of them, recruiting them in India by a system of examination very much similar to yours, and allowing these appointments to be placed in special lists, so that candidates should go from the bottom to the top in the same way as they do in the Indian Civil Service list: have you ever thought of a scheme of that sort?—I do not know that I have thought of that particular scheme. But I am entirely against a separate service for Indians and for Europeans.

9923. The reason being that you do not think that if you had a separate service of any kind for recruits in India, you could ever give it the same status as is held by the Indian Civil Service?—I quite agree.

9924. With reference to your answer to question (24), you say, "I think it is essential that men holding posts equivalent to those ordinarily held by members of the Indian Civil Service should have their social position and surroundings as nearly as possible the same as those of Civilians." As regards Bengal, is it not a fact that the average man who joins the Provincial Service differs very little in class, social position, and status from the Indian who goes home and passes the examination in England; there is very little distinction?—That is so.

9925. Do you think that by simultaneous examinations of the character which you propose one result would be that you would get any different class into your Indian Civil Service from the class which now goes into the Provincial Civil Service?—I do not know that we are at one with regard to this. The position of the persons who get into the Indian Civil Service and the persons who get into the Provincial Civil Service is exactly the same before they get into the service, but the position is very different when they do get into these respective services.

9926. You mean that the position in society up-country and in the mufassal of Bengal of the Indian Civil Servant is distinctly different from the position taken up by the man who is in the Provincial Service?—Yes, and also in the Presidency towns. I mean that everywhere the position is very different. He is looked up to very much more than the man in the Provincial Service. It carries a higher social status.

9927. That is what I wanted to get from you. You have said you do not much believe in sending Civil Service officers home in order to train them for the Judicial Service, because you think that probably they would not do the requisite amount of work there in the study of law; but in your answer to question (38) you say distinctly that "practical training more than mere theoretical study is what I venture to think is necessary." That rather differs from the opinion we have heard expressed in a good many places by many witnesses that the Indian civil officer who takes over the civil work late in his service, while he understands procedure and understands administration, has a knowledge of law which is extremely small; and is it not really the reading of books of law, the books which contain the principles of law, which is the important part of the training which should be given to the Civil Service officer who wishes to take over this work?—That is not my opinion. I think that senior civilian officers, when they are entrusted with civil judicial duties, have had no training, either theoretically or practically, in matters of civil law; it is not to be wondered at that they should be found wanting. To my mind the wonder is that they are as good as they are.

9928. The instance I had in view was that of my late colleague in Madras, Mr. Krishnaswami Iyer, who was Judge of the High Court. I asked him to give a young Judge who was going home on furlough for two years a scheme of study in England. He gave him the names of a series of books which were entirely a study of theoretical law, and he told him, "If you will only read these books, and master them, you will have every right to expect that you will yourself become a first-rate Judge"?—I do not agree with that; but I quite agree so far as the books which should be studied are concerned, so that a man might become a perfect lawyer by studying those.

9929. You would sooner see the study confined to the courts of this country?—Yes, I think that is more practical.

9930. (*Sir Valentine Chirol.*) If your scheme were adopted, would the Indian candidate who has failed in London be able to compete again for the Indian Civil Service in the examination conducted in India?—Yes, there would be no bar. Just as if he fails in the first year, he can try the next year.

9931. Would not his position be rather a difficult one if he came out here and passed into the Civil Service through this door, having failed to pass through the London door?—As I say, I do not think in the long run people will remember which door he got in through. If he got into the Civil Service, and did good work, he would be looked up to as a member of the Indian Civil Service, and he would have the same position as the others.

9932. You propose that a certain number should pass in through the examinations here: they will be drawn from the same classes from which the members of the Provincial Service are now drawn, and afterwards get listed posts?—Yes.

9933. Do you think that their position will be regarded in the same light as a superior position by the men now in the Provincial Civil Service, as the position of those who passed in London?—I think my previous answer applies to that also. If they get in here and then go to England and come back as full-fledged members of the Indian Civil Service, their position will be considered higher than that of a Provincial Civil Service man who, probably, may be his brother.

9934. But you do not think, on the other hand, that the position of the Provincial Civil Service man, however admirable and conspicuous the service may be which he rendered now in the listed posts, would ever gain for him the same sort of recognition at the hands of the Indian public?—That is my experience.

9935. It is really the label you want?—I think it is more than that. In the first place, the man with a listed appointment does not get the same pay, and therefore cannot keep up the same position, and his surroundings are very often different by reason of the fact that he is admitted fairly late in life. He finds it difficult to adjust himself to the new surroundings.

9936. In answer to question (28) I see that you wish for reasonable prospects of obtaining other suitable employment in India. Would you tell us what is the proportion of candidates now going up for the Civil Service in London who fail and, having failed, are unable to find any suitable employment?—The number varies; but I think the average may be taken to be something like 20 candidates who go up every year for the Indian Civil Service. This year, I believe, it was much larger: I think it was between 40 and 50. I was there at the time, and I heard there was a very large number who had gone up. This year about seven or eight got in by reason of extraordinary circumstances; the rest did not get in, and I think it is likely that none of them will find employment, that is to say, find Government employment, when they come back.

9937. You restrict it to Government employment?—Quite so.

9938. Of course there are other fields of employment open to them?—For men of this class there is nothing but the Bar practically.

9939. There is journalism and literature?—Literature is not a very paying profession in this country.

9940. There is, of course, education?—Yes; but unless these men have taken good degrees, either in the Indian or in the English Universities, I think they would find it difficult to get employment even in private colleges; and with regard to Government colleges, for the employment that is offered to them, even if they get particularly good English degrees at Cambridge or Oxford, they are asked to begin at Rs. 150 a month or thereabouts, which of course is an impossible position.

9941. You do not think that with the method you propose as an alternative for encouraging a larger number of Indians to go to England and enter for the Civil Service examination, you could fairly expect to obtain that increase of the number of Indian members of the Indian Civil Service which you desire to see obtained by this modified system of simultaneous examination?—Something towards it: probably nearly as much. It may not be quite as much: it depends very much upon the number of scholarships offered.

9942. You would not be prepared to carry out this alternative scheme as worthy of being tried, before making the very much larger experiment of simultaneous examination with the modified conditions you have proposed?—Personally I would prefer the other thing to begin with; and, if that is found unsatisfactory in any way, to revert to this. This I propose only in case it is found absolutely impossible to accept my first recommendation.

9943. I think you agree that it is always very much easier to go one step further than to withdraw, which would be regarded as a retrograde step?—I think you are right, that there might be risks. If you begin at the first suggestion and that fails, and then go back upon that, it might be risky, no doubt.

9944. Whereas there would be no risk attaching to the tentative proposal you made?—No risk, except that it will not give the satisfaction that the other one will.

9945. (*Mr. Abdur Rahim.*) I wish to know your opinion regarding the Judicial branch of the Provincial Service. Do the men who are doing the work of Munsifs and Subordinate Judges do their work satisfactorily?—I think extremely satisfactorily.

9946. I should also like to know what you have to say regarding those members of the Provincial Service who are holding now the listed posts, the District Judges' places: what is your experience of their work?—I believe they do their work very well.

9947. I believe you said there ought to be no alteration as regards the pay; two-thirds pay of the Provincial men who are appointed District Judges and District Magistrates: you approve of that arrangement, I think. Does it not strike you that men doing the same work, discharging the same responsibilities, should draw the same pay; and, after all, it is not a very large number?—Undoubtedly it would be better if they were paid higher rates. At the same time I think there ought to be a distinction between men who have been to Europe, and men who have not.

9948. But to counterpoise that consideration, in the case of men promoted to the listed posts, Provincial Service men, they have been a long time in the service, and have much less time to enjoy the larger salaries: would not that be a counterbalancing consideration?—Yes, it would, in many respects.

9949. Is it not a fact that in this Presidency there is considerable feeling as regards the salary?—I cannot say that I have noticed any great feeling with regard to this matter. I am only speaking of Bengal.

9950. As regards recruitment for the judicial service, I understand that you would make an experiment of appointing men from the profession directly to District Judges' places?—Yes; I would like to add further that, if the scheme with regard to the examination for the Civil Service in India is not accepted, I think another alternative to the scheme of scholarships would be the separation of the judicial service altogether from the Indian Civil Service and a separate recruitment for that service.

9951. I should like to know, as regards the men that are available in the profession—both Barristers and Vakils—are there not men in your opinion at present available who are fit to be appointed as District Judges?—Yes.

9952. How many could you supply from your branch of the profession?—I think I could name a dozen men who would do very well as District Judges.

9953. And from the other branches of the profession?—There would probably be more.

9954. Would it, in your opinion, be a serious objection if men were appointed from the Bar who have had no previous administrative experience in regard to managing offices or looking after the work of District Munsifs or Subordinate Judges?—I do not think so. I do not think that, as regards men who have made their mark at the Bar—I assume that the men who will be appointed to such appointments as District Judges naturally will have made their mark—it will take them any time to make themselves familiar with managing an office of the kind that District Judges have to manage.

9955. A suggestion has been made that the work is of very great importance, and it is not possible to do that work satisfactorily, that is, the administrative portion of the work which falls to the lot of a District Judge?—I do not say it is not important.

9956. What I mean is this: it is stated that for this work to be satisfactorily discharged one should have previous experience of an administrative character?—I do not agree with it. I think that the ability to manage the administrative part of it can soon be acquired by a man who has made his mark at the Bar.

9957. A further suggestion has been made that, as regards criminal work, you have to begin your experience as Magistrate in order to acquire efficiency in criminal work. Is it your opinion that the members of the Bar who have attained a certain status in the profession would not be able to discharge their duties as criminal Judges as efficiently as men who have been tried as Magistrates?—Not at all. Most of the men at the Bar begin their career with criminal cases.

9958. I take it that the men in fairly good practice have also to do a fair amount of criminal work?—Yes, I believe so. We do not specialise in this country to the extent they do in England.

9959. Would you tell me what is the ground for saying that only an experiment can be made at present with regard to the appointment of District Judges at present from the members of the Bar—a tentative experiment?—In the first place, the appointments have hitherto been held by members of the Indian Civil Service; and I for one personally am extremely unwilling to do anything that would impair the usefulness and the position of the Indian Civilian.

9960. You mean the Judicial branch?—Yes; there are appointments which the Indian Civilian has a right to aspire to now, and in the ordinary course of things they come to him. If so many appointments are taken away from the Indian Civil Service, there will be so much less inducement in the Indian Civil Service.

9961. You mean you will get less men to compete for the Civil Service?—Yes; because there are so many prizes taken away from the Service.

9962. But viewing it from the point of view of administration of justice, pure and simple, do you think an adequate number of appointments, if made from the Bar, would not be satisfactory?—I have every hope it would; but probably my mind is such that I always like to know first as to how it is going to work before starting a thing.

9963. But you would like to make an advance in that direction, I understand?—Yes.

9964. Then as regards the system of training for Judges, you say that an Indian Civil Servant might begin to specialise after five years' service here; that is what you suggest?—Yes.

9965. What will he be doing in these five years?—Settlement work, which, I think, is very essential, and also criminal work, trying original criminal cases and different kinds of administrative work, revenue and so on, that an ordinary Civilian has to do; there is plenty of work for them to do.

9966. Have you considered the subjects of the examination for the Civil Service?—You mean for the competitive examination?

9967. Yes?—I have.

9968. Would you, or would you not, like to add law and give higher marks for it generally?—I have suggested that it should be added.

9969. What I was suggesting was this: during the period of five years he might forget all the law that he learnt?—We expect him to read a little during that time.

9970. Do you think that while doing the work of a Settlement Officer he will have time to keep up the study of law?—I think so.

9971. Would you expect it ordinarily, I mean?—Well, provided he knew that his promotion in the Service will depend upon it.

9972. But you would make selection during the five years or at the end of the five years?—He has to pass a certain examination in law; and I have suggested that the character of that examination should be changed to this extent, that a greater knowledge of law should be acquired than at present is the case.

9973. That will be some inducement to him to study the law, but would it not, I suggest, be better that there should be separation or bifurcation from the very beginning of the service between the judicial and the executive?—There are certain kinds of work which every Civilian must learn, whether he is to be an executive officer or a judicial officer. Even as a Judge, I think, a knowledge of settlement work is of great use. I have heard it said by very eminent Judges that it is essential.

9974. You mean by settlement work trying revenue cases or settling revenues?—Settling revenues, settling rents. It makes him familiar with the whole system of land tenure of the country, apart from the knowledge of the people that he gets from doing that work.

9975. After five years would you place him for one year under the High Court?—Of course, when I mention five years I do not know if I insist on the five years, but a sufficient period to do the ordinary preliminary part. I have mentioned figures only tentatively, and do not pin my faith on the particular number of years that I have mentioned.

9976. I see that you are emphatically of opinion that there should be a separation of the executive and the judicial functions?—Yes.

9977. Is that on theoretical grounds or from your practical experience?—Both from practical experience and upon all that I have heard, read and seen.

9978. Is there a strong public opinion on the point here?—Yes.

9979. Do you know the scheme put forward by Sir Harvey Adamson as a sort of experimental measure?—Yes, I know.

9980. Has that been put into force?—I believe it was put into force in one or two districts, but I could not be certain about it. I believe it was; but, as a whole, it has not been put into operation yet.

9981. It is not in operation at all at present?—That is my impression. I should like to add, that is, I believe, because of the troublous times we have gone through lately, that that has not been put into operation.

9982. But is it your opinion that such a separation will, in an appreciable measure, tend to create any difficulty in dealing with troublous situations?—I do not think so.

9983. In your opinion there is no such apprehension?—No.

9984. As regards your method of recruitment, I should like to know this: whether here it is not the practice for the High Court to appoint District Munsifs?—Yes.

9985. There is no competitive examination for Munsifs?—No.

9986. Is there any reason why there should be any difference in the selection for the subordinate judiciary and the executive?—I do not know that there is. Personally I would prefer a competitive examination, though, of course, the older a man gets the harder it will be for him to pass the competitive examination.

9987. You propose a competitive examination for the Provincial Service, for the judiciary?—For entrance into the provincial judiciary and not for promotion.

9988. But for the appointment of Munsifs and Subordinate Judges?—Subordinate Judges are entirely appointed from Munsifs.

9989. By seniority?—Ordinarily so.

9990. Then about your District Munsifs?—I do not see why competitive ex-aminations should not do well even for these; but I have no reason to think that the present system has, in any way, been found to be unsatisfactory.

9991. I think you have said on the other hand that it has worked very satisfactorily?—Yes; therefore, unless there be any reason for the change, no change should be made.

9992. You are very strong about the evils of selection; but these evils are not apparent in the present method of selecting District Munsifs?—No; that is so.

9993. I mean it is possible to have a properly constituted body like this to make selections even for the executive branch?—I do not know that there is a body to select for the judicial posts. I think it is more or less one Judge that does it. I do not know if it is similar to what is called the English Committee; whether it is a a body, or whether it is one Judge who presides over it, I am not quite sure. But, in any case, I do not think that there is much selection. I think it is more or less according to the order of merit tempered by the admission of people highly recommended.

9994. I suppose that those who recommend are mostly Judges—District Judges or High Court Judges—who know the work of the candidates?—Yes; I believe others do it, too; people who have some influence with the Judge in whose hands the appointment is.

9995. I see you are emphatically against what you call "class representation" in the Civil Service as well as in the Provincial Service?—Yes.

9996. What I wish to know is this: if you have a minimum qualification and have the standard high enough, is there much evil to be apprehended; supposing you require that they should be graduates in Honours, second class, or a qualification of that nature?—I am sorry to say that I think it will lead to a system of favouritism as it has very often done in the past.

9997. But it will be confined to a narrow field if you have a high standard of qualification?—No doubt the evil will be minimized if minimum qualifications are laid down; but there will be the evil still.

9998. But I am asking you to consider this: if you have a mere absolute competitive test, say for the Provincial Service, throughout India, in your scheme the possibility is that certain important provinces will go unrepresented and also certain communities?—I doubt that myself.

9999. But supposing that were so, is that not also an evil to be taken into account?—Yes, it would be an evil; but I doubt if the evil, if it is one now, and if it at all exists, in shutting out different classes would continue. But I do not think that any class will be shut out; and if it does shut out people now in any particular class, I think it will very soon right itself.

10000. You had the competitive examination for the Provincial Service here for some time. Do you know if ever a Muhammadan got into it?—I do not know; you may know.

10001. You may take it from me none got in?—You may be right.

10002. Still you know there are several Muhammadans in the Provincial Service discharging their duties quite satisfactorily?—Yes, quite possibly.

10003. Now you take the United Provinces and the Punjab. If you have a competitive examination, pure and simple, it is possible that you would shut out these two new provinces?—You are talking of the Indian Civil Service?

10004. Take the Indian Civil Service?—I do not think that any question of race or class representation should arise with regard to the Indian Civil Service.

10005. What I am trying to put to you is: if you get qualified men, is it not an advantage; would it not make the administration more effective, inasmuch as it would be more popular, if you have the important provinces and communities duly represented?—There we are talking of the principle of competitive examinations, and I believe that, recruited as it is, it is the only system that does not lend itself to abuses, and it is a system which ought to be applied so long and so far as it can to all services. That is the view which I maintain.

10006. (*Mr. Madge.*) You have just admitted that an English Indian Civilian acquires knowledge in his earlier years which is very valuable to him as a Judge; but in your answer to question (37) you say that five years might be the period at which bifurcation might begin?—I believe so; he will go on acquiring the knowledge and the experience that we are all agreed are essential after the five years also. He would not stop acquiring knowledge and experience of the country after five years.

10007. Then he would be more valuable as a Judge to the general public if the bifurcation period did not take place till later than that?—You mean he would go on improving indefinitely? I did not mean that.

10008. What I mean is; it is a question of the period rather than pure bifurcation —where the division should take place?—I think I follow. There is a certain amount of special work to be learnt now by a man who is going to be a Sessions Judge. We have got only limited time at our disposal to deal with it, and we must make the best of it. The only way to do it is to give five years for general work and then specialize for the work of District Judge. If we had unlimited time, then I would give more time for the preliminary part of it.

10009. In what respect is the time limited?—I mean that a man can only serve a certain number of years. By the time he serves as a District Judge, according to my scheme, he will have put in more than ten years' service; and in order to get the best of his service as District Judge, I think we ought to have him at least 15 years as such. So, if we put in a preliminary period of ten years or 15 years—that is one of the evils of the present system—when he is just beginning to be very useful as a Judge, he retires.

10010. You are aware, of course, that, in the circular sent round by the Bengal Government to public societies, nine years were mentioned as the period which such a scheme might have?—I was not aware of that.

10011. I will ask you whether, with reference to the importance you attach to the subject, you would not value the opinion of a responsible Government that had considered the subject, that it was not wholly in favour of the separation, and that if it was to take place it should take place at nine years for securing what you admit to be a great advantage—a certain amount of experience of settlement and revenue work and knowledge of the people and that class of facts? —I would attach the greatest weight to the opinion of the Local Government undoubtedly.

10012. You are aware that cases have occasionally or rarely arisen in which even at a much later period transfers have taken place? —I suppose so.

10013. With reference to facts of that kind, would you or would you not leave the matter in the discretion of a responsible Government than have a hard-and-fast rule which might result in unpleasant consequences? —I do not know it would result in unpleasant consequences; but I think a hard-and-fast rule of that kind will be of use as regards the particular period. As I said, I should attach the greatest possible weight to the opinion of the Local Government who have probably studied the question very much more than I have.

10014. You have told us that literature, in which you include journalism, does not hold out very great prospects to the young men of this country. Do you think that it is owing to either of these two facts—that the system of education has been defective in one respect or another, that it has not produced either literature on the one side or the class of people on the other capable of appreciating literature?—I think it is probably due to the fact that there is not a sufficiently large reading public. What is the use of having books or papers if there are no people to read them?

10015. I notice that you have strong objection to the introduction of any racial discrimination in respect of appointments; but, accentuating what Mr. Justice Abdur Rahim just said, suppose there were, not only amongst us, but amongst Pathans and men in the North-West Frontier Province, and also amongst the domiciled Anglo-Indian community, men who gave distinct marks of character and such qualities as would make them very good officers, do you think that, if things were working against them in other ways, the mere fact of their not passing the competitive examination, which may be a purely literary test, works unfairly against them?—Well, the things that you mention are so difficult to determine, and it is so difficult to settle as to who is to determine them if they are capable of being determined, that I think the safe way is to have the intellectual test. I believe that has been found to be so in England, and I do not know that it does not apply equally to this country.

10016. May we not take it that, with regard to the application of the test in England, as regards Englishmen, it assumes the possession of a number of qualities which the test does not itself really bring out, and as regards Indian candidates it assumes that they are living amidst the advantages in England for a certain period, advantages which are denied to people in this country?—I have no doubt that Indians are at a disadvantage with regard to it; but I do not know whether there is any other system that you can apply and that would not lead to abuse—gross abuse to my mind.

10017. Have you much acquaintance with men of the domiciled community?—I know a few; I have friends amongst them.

10018. A man brought up entirely in this country?—Yes, I believe so. Brought up in this country, passed the University examinations here and had been to Europe afterwards: I know men of that class.

10019. According to a statement elsewhere, a considerable number of them, though not in proportion to the whole number of the community, yet a comparatively large number of men have been produced in this country who have been, after retirement, used by the British Government abroad. Do you think that that class of persons is comparatively small in this country as far as your experience goes?—I am not prepared to give an opinion about that; all I say is that I have known men amongst the domiciled community—some of them very good men both intellectually and morally.

10020. In your answer to question (59), you say the "present scale of salary was fixed many years ago, and to my mind urgently requires revision." Would you be prepared to recommend a *pro rata* rise all round?—Yes, I would.

10021. (*Mr. Macdonald.*) Your scheme which is outlined in your answers to the earlier questions would give a very considerable advantage to Indian students going to England; would it not?—Yes.

10022. They would have two chances, and they would have a certainty if they get up to a certain standard of the examination?—Yes, they would.

10023. Have you thought of a scheme very much like your own but slightly different, viz., supposing there were 60 vacancies to be filled in for the Indian Civil Service in one year, 20 should be filled by simultaneous examination in India and 40 by an examination in England?—I have thought of that also.

10024. Do any objections occur to you to that scheme which are not alleged as regards your own?—No; on the contrary, I think the scheme which you mention has some advantages which my scheme has not, but personally I prefer my own scheme for this reason: I think it is very necessary for us in our present state of development that more and more Indians should go to Europe—for education I mean.

10025. A part of the rival scheme is that, when Indians have passed the examination here, they should go to England to undergo a probationary period. Does that meet your objection?—Not wholly; under my scheme, they have to go earlier and stay longer.

10026. Your scheme contemplates, I think, with reference to that point, that the Indian students should leave at a pretty early age. I am thinking of the scholarship section of your scheme?—No; I contemplate that they should leave, after they take their degree here; in fact, it is practically graduates only that will compete for these scholarships, and that would give them at least 2 years in England before they compete for the Indian Civil Service.

10027. When do they graduate?—About 20.

10028. That is what they can do in Bengal, is it?—Yes, as a matter of fact they could do it earlier, but there is a restriction placed upon the age of matriculation candidates and you could not matriculate before you are 16, and it takes 4 years before you can graduate—16 *plus* 4, a man must be 20 before he can get his degree.

10029. Then your scheme would be that men of 20 should go to England, should stay there 2 years preparing for the examination and then, if successful, stay another 2 years undergoing probation; that is, your man will have 4 years in England against 2 years which the man under the other scheme suggested would have?—Yes.

10030. And you think that difference is a very valuable one from the point of view of the efficiency of the Indian officer?—Yes; efficiency as a whole.

10031. The governing efficiency and the administrative capacity of the man when he comes out?—Quite so.

10032. Have you heard it stated that the present examination imposes such a nervous strain upon the Indian student that it permanently injures him?—I have heard it stated with regard to students generally, both Indian and English, if you mean the Indian Civil Service.

10033. Yes, I am going to put another question afterwards. You had better separate them. First of all, what about Indian students?—To tell you the truth, I have not heard it stated with regard to Indian youths at all.

10034. You have not heard that statement?—No.

10035. Have you heard it stated with regard to English youths?—Yes, I have.

10036. That the mental strain, the grinding, the attendance at Wren's, and the other processes they have got to go through to enable them to get the necessary number of marks, have really affected and injured the nervous system of the English candidate?—I have heard that it renders them stupid for the first two years after they come out.

10037. But you have not heard of it regarding Indian students?—No, I have not, probably because I have not talked about it. I have talked to English students and English parents, and that is what I heard from them.

10038. In answer to question (19), you say that two-thirds of the Indian Civil Service might be recruited at the moment, at any rate, from Europeans, that is what is known as the irreducible European minimum, and you give one-third to Indians. Do you agree with a statement to this effect from your knowledge of the Bengal Service, that the number of these posts filled by Europeans, that is, the Indian Civil Service posts, has now been reduced in Bengal to about the minimum that is necessary to secure the maintenance of the British character of the administration?—I do not agree.

10039. Have you known any districts which you would classify as important being under the control of Indian officers?—Not recently.

10040. Have you ever had occasion to consider the meaning of that and the cause of that?—I have heard it stated as a grievance by my Indian friends in the Civil Service that they have not been placed in charge of important districts.

10041. Did they accept the view that that is owing to their incapacity?—They did not.

10042. Have you had any reason for making up your own mind on the other subject? I do not want you to answer it if you do not like?—Yes, I have my own opinion.

10043. Would you like to give it to us?—I see no reason why the Indian members of the Indian Civil Service that I have in my mind should not be placed in charge of important districts.

10044. You think there is no reason?—No.

10045. Do you think that the Indian members of the Indian Civil Service get the same chance of acquiring general experience in administration and government that the English members—the British members of the Indian Civil Service—get?—If they are kept out of important districts, they do not.

10046. You just turn to a germane point. When in answer to question (24) you refer to the difference in social status between men who have been moved up into the Indian Civil Service through the gateway of the Provincial Service and men who came into the Indian Civil Service through the gateway of examination, do you mean that there is some social system in this country which automatically stamps the man who passed into the Service through the examination as a superior man and the man who has come up from the Provincial Service as an inferior man?—I should hardly think that.

10047. Let me put a specific case. I understand that in the social part of his life in this country—in Government House—everybody has a number such as No. 1, No. 2, No. 3, and so on, and if No. 3 is taken in before No. 2, there is risk of a riotous proceeding. Is that the custom, or is it not so in practice?—I think they set great store on the order of precedence.

10048. And that order of precedence is rigidly fixed?—Yes.

10049. Is it the case that this order of precedence is observed in private dinners and private functions?—I hardly think that.

10050. Not at all?—I think it is to some extent.

10051. The question I want to ask is: if a man comes up from the Provincial Service into the listed posts, is he regarded in that system of social precedence as an equal to a man who is in the same position, a man taken from the Indian Civil Service?—He is not taken as the social equal in the same way as the other man is.

10052. He is not put in the scheme of precedence?—He is not; but I cannot certify to it.

10053. Have you in the course of your experience come across any specific cases which show the undesirability of district officers exercising both judicial and executive functions?—I have.

10054. Without asking you to give any specific case, may I ask you to describe in general terms what that undesirability is. Would you give us a sort of type instance?—A judicial officer, a subordinate judicial officer, who very often tries a criminal case—in fact he generally tries criminal cases—being under the executive head, the District Magistrate, who probably has taken part in directing the prosecution, is under the influence of the District Magistrate; and whether he is directly influenced or not, very often he does things which he thinks will please his superior officer, though if he were left unfettered in the exercise of his judicial discretion, he would act quite differently.

10055. And you wish to tell the Commission that the typical instance that you give is more or less common?—I would not say it is common, but it is done often, I should think; and it has a very injurious effect and it produces an impression with regard to the administration of justice that is deplorable.

10056. That is the evil of the union. Then, I think, you made some statement about the advantages of judicial officers knowing settlement work and the fixing of rents and so on; and that is, to a certain extent, an advantage now?—Yes.

10057. Have you made up your mind, after balancing the advantages with the disadvantages, upon which side the balance really lies?—That does not affect the separation of the judicial and the executive.

10058. Well, it was only an opinion I wanted to know. Have you formed any opinion? Do you get an officer exercising both functions?—The same officer is not the judicial head of the district. Probably you have not got present in your mind the distinction between the civil judicial head and the criminal judicial head if I may so call it—the District Judge and the District Magistrate. It is the District Judge with regard to whose training I have ventured to make certain suggestions; but so far as the District Magistrate is concerned, I have made none.

10059. The District Magistrate is the Collector?—Yes.

10060. He may ultimately become a District Judge?—Ordinarily he does not.

10061. But he passes into the judicial side, if he cares to select it?—He passes on to the executive side; in fact he has probably passed on to the executive side. He becomes a Commissioner of a Division, a member of the Board of Revenue and ultimately a Lieutenant-Governor.

10062. Have you any cases in this Presidency of Collectors passing to the judicial side?—Yes, because the selection is not made until he has had a chance probably of officiating as Collector. The selection between the executive and the judicial is made fairly late now. Under the present system, before the selection is made he probably has had executive charge of a district and thereby officiated as Collector; but if he chooses the executive he does not become District Judge at all.

10063. Not if he chooses the executive, but if he chooses the judicial?—Then he becomes the judicial head.

10064. Then he has had double experience; he has had his experience as Magistrate and he has had experience as revenue officer. A suggestion has been made that if he selects to become a Judge and to go on to the judicial branch, the experience which he has had as a Magistrate and as a revenue officer is so exceedingly valuable to him when he becomes a Judge that the separation of the two functions ought not to take place in the earlier period of his service?—I do not think it is at all an argument on the other side.

10065. You do not think it is an argument on the other side?—I do not think so.

10066. I see from your answer to the Provincial Civil Service questions that you do agree that certain appointments should be reserved for nomination and that in the making of nominations some regard should be paid to communities?—Yes.

10067. First of all, who would you suggest should be the nominating officer? Would you keep it as it is in Bengal?—It is the Governor in Council at present.

10068. It is the Governor in Council?—That is the appointing authority.

10069. Through a series of recommending sieves?—Yes.

10070. Would you agree to the whole of that system being maintained?—So far as my opinion is concerned, I should think so.

10071. Do you think that the district officer ought to nominate?—Yes.

10072. Do you think he ought to be bombarded with requests by parents for their children being passed into the Government service?—It is very unpleasant; but unfortunately he has to go through it as most of us have to.

10073. You do not see any way out of it?—I do not.

10074. The reason why you would not apply the same rigid educational test to the Provincial Service that you would apply to the Indian Civil Service is that you think that the two services cannot be compared; that whilst it would be perfectly justifiable to allow communities to be represented in certain proportions in the lower service, the reasons that would justify it do not exist so far as the superior Indian Civil Service is concerned?—Precisely.

10075 That is the position you take up?—Precisely.

10076. Just one final question. If you took away the listed posts from the Provincial Service (I think the Chairman put this to you already, and I should like to follow it a stage further) you said that you did not think it would destroy the Provincial Service?—No.

10077. That it would make it as attractive as it is now?—It does not make it materially less attractive. That is what I mean.

10078. Do you not think that you would have requests on the part of the Provincial Servants which you cannot very reasonably refuse to accept, that it is a great mistake to draw a line across any service and say of a body of men, however superior they may be, that certain individuals in it can never pass that line, as we have it in our Class 1 and Class 2 in our Home Civil Service?—That is why I have suggested that the power to make appointments to the superior service in exceptional cases should be retained. It is, as a matter of fact, very rarely exercised, and it may be exercised more often if anything is found to cause grave dissatisfaction, but I do not apprehend it.

10079. You would not think it is essential for a well-organized service, would you, that important lower grades like the Provincial Service should have an outlet into the still more important higher grades like the Indian Civil Service?—So far as it is possible, I would have an outlet. I would prefer to have an outlet to some extent as an encouragement to men in the lower service; but I think we cannot (by 'we' I mean Indians) expect it both ways: we cannot expect to have a certain number of appointments in the Indian Civil Service—the higher service—and also get another lot of admissions into the higher service from the Provincial Service. That is why I venture to state that if we get the proportion fixed for the Indian Civil Service, I would be willing to give up the claims for listed appointments to that extent.

10080. Would that not destroy the efficient organization of the whole service from top to bottom?—I doubt that.

10081. (*Chairman.*) I should like to put one question. What is the inconsistency in having both the examinations you propose and the listed posts for the Provincial Service?—As I understand, the inconsistency would only be in this, that the irreducible minimum—the irreducible minimum of Europeans—might be affected. I said that it ought to be one-third Indians, which means two-thirds Europeans; but if the two-thirds is further encroached upon, the irreducible minimum goes down.

10082. You do not suggest a reduction in the one-third by examination in view of listed posts?—No. That deprives us to that extent of the same status as regards the one-third. That, I think, is very essential.

10083. (*Mr. Sly.*) One question as regards one point as to which I think there has been some misapprehension. Do you know that the 'Warrant of Precedence' deals with Magistrates and Collectors without any distinction of any kind whatsoever, as to whether they are in the Indian Civil Service or out of it or hold listed posts?—I confess I have not studied the 'Warrant of Precedence' very much; but I believe Indian Civilians as such have precedence. That is my belief. After so many years they come in somewhere, and after some years more they come in somewhere else, and it goes on in that way; but it is not a document which I have studied very carefully.

10084. But all District Magistrates and Collectors come in a single place without regard to their recruitment?—Possibly.

10085. In connection with simultaneous examinations, we heard a good deal from you in regard to the possible dangers that might arise if a large number of Indian candidates were successful. In fact it would be difficult to maintain the European minimum under those conditions. Now I want to put to you the converse case. It has been represented to us that under simultaneous examinations, very few Indians would succeed for several years; indeed that for some years none would get in through the simultaneous examination. It has been stated that, if that fact should occur, it would create a certain serious political situation, which the Government would have to take into consideration before taking such a step as the establishment of simultaneous examinations—that the disappointment of the Indian people at such a result might have certain political effects, that it might cause in the minds of some people an idea, not perhaps that the examination was unfairly conducted, but that it was conducted in such a manner as to fail to appreciate the merits of the Indian students, and perhaps it might even further give rise to some suspicion in regard to the fairness of the examination altogether. I should very much like to have your opinion on it. Do you think that such a sort of consideration should have any weight?—I do not think there is anything in it. I have not considered it from that point of view at all; but I do think that there is not much chance of a large number of Indians getting in, if there is simultaneous examination, for many, many years.

10086. Do you think it would have any effect in creating any political feeling that the Government would have to take into consideration—a feeling of great disappointment—that might occur?—It might, but I have not considered it. It might cause disappointment; the sense of unfairness that you just said it might, but I do not know that it would. It might, quite possibly.

10087. Well, to come to your European minimum of two-thirds, that relates to the whole of India, does it not?—Yes.

10088. Can you kindly tell us the conditions, that have been present in your mind, that induced you to fix the proportion of one-third? Why do you take that particular proportion?—I have not done it with reference to any calculation of districts or number of officers employed, or anything of that kind. I have seen it discussed at different times as to the proportion that might safely be fixed; and I took everything into consideration—the increase in the number of persons who are now more largely imbued with the spirit of English education than some years ago. As a matter of fact, that was the proportion that was mentioned by the Madras Government, I think, in 1893.

10089. For Madras, is it not?—Yes, for Madras. It is my reading of the different reports and things that I have seen from time to time that left an impression on my mind that the proportion may safely be fixed now at one-third.

10090. Would the system of second examination in India that you recommend —would that secure that one-third, being filled by the Indians?—I doubt that. The minimum qualification would be a high one according to my idea.

10091. If they had the minimum qualifications?—Yes.

10092. You think that at the present time we should contemplate such a large immediate increase in the present proportion of Indians in the Service, up to one-third?—I think so. Of course when you say 'immediate,' I suppose you mean as the result of your labours, which will not be immediate, as far as I can judge. It must take a little time.

10093. Of recent years the number of Indians successful by open competition has been only about 5 per cent. To increase it straightaway to one-third is very great, is it not?—Yes.

10094. You think it is all right and suitable?—I do not think that there is any political danger, if that is what you apprehend.

10095. I do not mean danger, but I mean for the good government of the country generally do you think it perfectly reasonable to increase it all at once to one-third?—Good government, including in it also the training up of the people of the country to be able to govern themselves.

10096. You have recommended a certain amount of direct recruitment to the District Judges' posts, direct recruitment from the Bar?—Yes, tentatively.

10097. You think from your knowledge of the Bar that the attractions of the District Judge's appointment are sufficient to secure good first-class men from the Bar?—Not good first-class men from the Bar.

10098. Would we get a good second-class?—We should not classify them like that. If by 'good first-class' or 'good second-class' you mean men making first-class incomes, I do not say you would; but you would get men who have high qualifications. There are not many men who make first-class incomes at the Bar here.

10099. Let me put it in another way: Do you consider that that post would attract from the Bar as good or better legal talent as is at present secured from the Provincial Service and from the Indian Civil Service?—Yes; I think it would.

10100. On the whole you think that it would secure better men?—Yes.

10101. Then in regard to recruitment to the Provincial Service, from your knowledge of the Bar, do you think that the present Provincial Service recruits are about the best or good average of the young material available at the Bar or not? Does the present judicial branch of the Provincial Service attract about the best or a good average of the young material that is available at the Bar?—It does not. It only attracts more or less people who think they will not get on.

10102. In answer to question (24) you raise the point that you think that the officers of the Provincial Service get their promotion to the listed posts at too late an age to do justice to themselves. Can you kindly tell us what you think would be a suitable age for an Indian to be promoted from the Provincial Service to the post of Collector or Judge?—It must be more or less guess-work. I cannot lay down a hard-and-fast rule; but I should say before they are 30.

10103. You think they ought to get them before they are 30?—Yes.

10104. I suppose you know that the Indian Civilian ordinarily gets that promotion when he is about 37 to 40 years of age?—You mean the listed appointments?

10105. No. The Indian Civilian who comes out to this country at the present time (about 25 or 26 years of age) ordinarily gets his promotion to Collectorship after about 14 or 15 years' service, that is, he gets promotion to Collectorship at about 40 years of age?—I think under the system with which I am familiar—under that they become Collectors much earlier.

10106. They might act as such earlier; but do you think that they do so as young as 30?—I am not absolutely certain; but I think a few years ago they were Collectors long before 30.

10107. In your scheme for scholarships, the only point that has not been touched upon—and it seems to me one of considerable importance—is what system of selection or recruitment for these scholarships you suggest as suitable?—Either competitive examination or selection from the graduates, according to their position in the University list. I confess I have not thought it out.

10108. But, on the whole, you are inclined to think that you would take the University record of the man?—Yes, I think so; it is as good as any other.

10109. In your answer to question (32), one of your objections to probation in India is that you could hardly expect any good Englishman to come to India without being absolutely certain of his appointment; as a matter of fact, I believe the rejections during probation for a very considerable number of years in England have been practically none. If that difficulty is removed, do you or do you not think it would be a good thing for the young Civilian to come out to India immediately after he passes his examination to undergo his probation and training here?—I have said so. I should prefer the candidates from England to spend the period of probation in India; but I think, from what little knowledge and experience I have, that you would not get men to come out to India on those terms.

10110. But if you can get them to come out on these terms, you think it desirable?—Yes.

10111. Do you think, in Bengal for instance, that you can give just as good a training in law and general principles of jurisprudence as well as Indian law, as could be secured in England?—I will not say that; but I think, for practical working purposes, it is quite good.

10112. In regard to the other great branch of study during the probationary period in England, that is, the vernacular languages, do you think that instruction could be given as well in India?—Yes, I think it can be.

10113. In answer to question (16), you have given us some suggestions in regard to the modification of the syllabus and marks for the open competitive examination. I notice that you have not touched there at all the question of Indian vernaculars?—No.

10114. What I want to ask you is whether you omitted the Indian vernaculars because you considered them undesirable as subjects of examination?—It is only the classics more or less I was thinking of, and I said Sanskrit and Arabic; they should have little more marks than they have now, and Indian History and Indian law. I have not included Indian vernaculars; it is a competitive examination to start with, and it would absolutely be impossible for a certain class of candidates to take those things, for example, the English candidates in England. It will probably give too great an advantage to the Indian candidates; and I do not know if a study of the vernacular would imply that amount of general culture (the ordinary spoken vernacular) which you are trying to test at the competitive examination.

10115. The position has been, of course, urged before us in evidence that, just as an English boy is allowed to take up a modern European language, French or Italian, so the Indian boy should be allowed to take up a vernacular other than his mother tongue?—I do not agree with that. In the first place, I know only my own vernacular, Bengali; and in that there is literature growing every day in importance and certainly in size; but I do not know the vernaculars in other provinces. I do not know how far it is worth studying. I would not venture to make a suggestion with regard to them without knowing more about them.

10116. In answer to question (53), you express the view that recruitment for the Provincial Civil Service should not ordinarily be restricted to the residents of the province. Well, we have had a very strong body of evidence, so far as it has gone in India, which is almost unanimously in favour of restricting the recruitment for the Provincial Service to the residents of the province. I should like you to tell us your reasons why you do not consider that necessary?—I did that after a careful consideration, and I confess with some amount of hesitation; and my principal reason for saying that it ought not necessarily to be recruited from the residents of the province is this, that the more the people of the different provinces in this country mix with each other and work in provinces other than their own the greater will be the sense of unity between them, which, I think, is an end to be desired. I say there ought not to be a hard-and-fast rule of that kind.

10117. Of course, the result might be that the Provincial Service of some provinces, in fact of several provinces of India, would be recruited from the more advanced intellectual races, such as the Bengalis and the Madrasis, and perhaps to some extent from the Bombay Mahratta Brahman, but the other provinces would be very largely shut out from their own Provincial Service?—I do not think, if proper safeguards are put as to the necessary qualifications for the purpose of entering into the Provincial Service, there would be any danger of that kind.

10118. It will be open competition?—Yes; but the subjects of the different vernaculars, and so on, might be included and marks so allotted that it would be necessary to be almost a native of the province before he could get employment there. Safeguards should be placed against that, of course; and I do not think that there is danger of the Bengalis and the Poona Brahmans and Madras Brahmans swamping these appointments, anything like so great as people imagine. I think the people in the other provinces, barring the places I do not know anything about, like the North-West Frontier, and so on, are taking advantage of the educational facilities which have been provided now very greatly, and in a very short time I think they will be quite able to take care of themselves against the Bengalis and the Brahmans.

10119. (*Mr. Gokhale.*) With reference to your scheme of what might be called modified simultaneous examinations, an objection has been suggested that under that scheme an Indian candidate might fail in England and then come here and appear again and that would give him a special advantage. Would it not be possible to get over this objection by so arranging the date of the Indian examination that it should not be possible for a candidate who fails in England to appear here?—Yes, it would you would have to make it within two weeks.

10120. After the publication of the results there?—Yes, after the publication of the results there.

10121. So that it would not be a very serious objection?—No, it would not.

10122. As regards the proportion of one-third, of course you mean that the annual recruitment of Indians should be one-third of the total recruitment?—Yes.

10123. That would not mean that we should have straightaway one-third of the whole Civil Service?—No.

10124. How long would it take for one-third of the Civil Service to be Indian?—I think, to use a phrase of Sir Antony Macdonnell, it would take a whole official generation.

10125. About thirty years?—About thirty years I should think: quite that.

10126. You know the rules of 1879?—Yes.

10127. When one-sixth of the total recruitment was promised us?—Yes.

10128. And the rules were brought into force immediately?—Yes.

10129. They raised the proportion of Indians who got into the Service from about 2½ per cent. to 16½ per cent. I do not know whether you know the figures?—I do not exactly remember the figures, but it was something like that.

10130. Did you ever hear a complaint that too many Indians were being put into the Indian Civil Service then?—I did not.

10131. The complaint only was that the men selected were not good?—Yes.

10132. Now I come to the question of the irreducible minimum: you said that you agreed with the Secretary of State in what he has stated in his despatch forwarding the resolution on simultaneous examinations to India that there should be an adequate number of Europeans in the service. You notice that the Secretary of State uses the expression "adequate number"?—Yes.

10133. Not an irreducible minimum?—Yes, I believe I used those words "adequate number."

10134. I want to ask your opinion about that. I believe you are familiar with section 87 of the Statute of 1833?—Yes, I have read it several times.

10135. Do you not think that the laying down of any number as the irreducible minimum of Europeans in the Indian Civil Service would be inconsistent with that section?—It is a very difficult question that you put to me. I know that a number of eminent lawyers, both Indian and English, have taken the view that the section makes it impossible to lay down the minimum for Indians or the maximum for Englishmen; if I were to give an opinion for myself I should require time to think it over; it is a very difficult question and I am not prepared to give an opinion offhand.

10136. In any case, in view of this difficulty you point out, would it not be more desirable that any number of Europeans that the Government might think to be necessary in the service should be secured by the practical working of any arrangements that are made than by laying down in black and white any definite proportion as the irreducible minimum?—Yes, as long as it was understood; the effect would be all that I desire.

10137. A suggestion has been made to this Commission that if section 87 of the Statute of 1833 stood in the way of such an irreducible minimum being prescribed, that section should be repealed: what do you think of that suggestion?—I think it would be disastrous; I think it would produce very grave discontent.

10138. Why?—Because it is considered the Charter so far as Indians are concerned, and the promise that race or colour or creed is not to be a bar to holding any office under the Crown, has created the greatest possible satisfaction amongst Indians. I think the consequences would be so grave that it is impossible to foretell what it might mean.

10139. And you would say the same thing of the Queen's Proclamation?—Undoubtedly.

10140. In reply to question (57), I see you express yourself entirely in favour of a complete separation of judicial and executive functions?—Yes.

10141. You do not mean of course that this separation of Judicial and Executive functions should take place only in the case of Provincial Civil Service officers?—No, I omitted to notice that that question related to the Provincial Civil Service. I intended that answer to apply to both. I have not yet seen there is a separate question in regard to the Indian Civil Service, but if there is, I intended that answer to be put there.

10142. You therefore are in favour of a complete separation of Judicial and Executive functions all through?—I am.

10143. And that has nothing to do with the recruitment of the Judicial branch of the service about which some questions have been put to you?—No.

10144. An impression was produced that the two things were interdependent in your scheme, but that is not so?—No.

10145. I should like to know clearly what you have in your mind about the recruitment of the Judicial branch. As I understand your scheme, if one-third of the Civil Service as a whole is offered to Indians, as you suggest, then you would not press for an immediate separate recruitment for the Judicial Service. Am I not right in that?—That is what I intended to say.

10146. But if the one-third is not offered, what is your alternative?—Then I should prefer the whole Judicial Service to be separately recruited for, and by that I mean both civil and criminal. Of course the Provincial Civil Service, that is to say, the subordinate, if I may so call it (I know the word is objectionable, but I mean the inferior service), both Civil and Judicial are now separately recruited, and I would extend that also to the superior Judicial Service, that is to say, the District Judgeships, and under my scheme all these classes of appointments—District Judges, Subordinate Judges and Munsifs, as well as Deputy Magistrates doing only criminal judicial work—would be separately recruited for as one service, Judges doing both civil and criminal work.

10147. This you would recommend if your proposal of one-third being given to Indians is not accepted?—Yes.

10148. Otherwise how would you stand?—Perhaps I ought to explain why I say that.

I cannot help noticing what has been said, that it is with reference to executive appointments that the difficulty comes in of having a larger number of Indians than there is now. Personally I do not share the apprehensions that have been expressed with regard to it; but supposing those apprehensions are considered such that it is impossible to give effect to a scheme such as I have advocated for the admission of Indians into the Indian Civil Service as a whole, then I should say, at any rate with regard to the Judicial Service, it is admitted that Indians are at least as good; without comparison they are good. If they are good for the Judicial Service, then I ask that there should be a separate recruitment for the superior Judical Service in the same way as there is now for the inferior Judicial Service, and that the Judicial Service should consist of men recruited for either by examination in England or selection in England from the Bar, similarly from the Bar here, and by promotion from the subordinate service.

10149. Have you formed any opinion yourself, and, if so, would you care to express it as regards the relative merits of the English and Indian members of the Indian Civil Service as officers?—Well, it is rather difficult to generalise in that way, but my own idea is that the average Indian member of the Civil Service is as good as the average English member of the Indian Civil Service.

10150. (*Mr. Chaubal.*) Following up the same question of the separation of the Judicial and Executive branches, I thought you said you were in favour of the separation of the two, if your proportion of two-thirds and one-third was not accepted, for the two services?—Yes.

10151. Assuming for a moment that a scheme for the complete separation of the Judicial and the Executive were proposed, am I to understand that according to your proposal you would begin from the lowest grades? At present there are Magistrates of different classes who perform certain executive functions besides administrative duties: would it be a part of your scheme of separation that the criminal administration of justice should be taken away from the subordinate magistracy?—Yes; so far as they will be Judicial officers they will have no administrative work.

10152. Then as regards the functions that are at present performed by the different classes of Magistrates, would you utilise the present civil sub-judicial staff for the disposal of criminal work, or put in a separate class of officers for criminal justice only?—Of course there will have to be an increased Subordinate Judicial Service, because they will have to do both the civil judicial work and the criminal judicial work. I will make my meaning clearer probably if I illustrate it by a concrete example. I will take a particular district now where there are four Deputy Magistrates, as we call them, exercising magisterial powers, that is to say, working as criminal Judicial officers and doing revenue work also. If there is to be a separate Judicial Service doing both kinds of work, civil and criminal, out of the four that do both criminal and revenue work now, two will be left for the purpose of doing the revenue and administrative work, and two will be put into the cadre of the Judicial Service and be amalgamated with that service.

10153. In that way the cost will not be so great as it is thought?—I do not think it will.

10154. There is one objection which we have had mentioned in the evidence we have so far taken, namely, that if you did separate the two services in that way, then the revenue officer, who has at present these criminal powers, would be so handicapped in the performance of his revenue and other miscellaneous duties that it would be almost impossible to think of taking away those powers from him?—I cannot say that.

10155. Do you think the administration of those departments would suffer if that power was taken away?—On the contrary, I think it would improve.

10156. Would you say the same thing of the higher Magistrates, the Subdivisional Magistrates and the District Magistrates?—That is my opinion.

10157. You admit I suppose that the Collector or District Magistrate at present is, under the new scheme, responsible for the peace of his district?—Yes.

10158. Do not you think that for that purpose, in cases of emergency, he ought to have certain powers?—I do not know of any necessity for that. If by emergency is meant times of riot, mutiny, or anything like that, a state in which the ordinary law is suspended and martial law is in vogue, of course the head Executive officer of the district will have sufficient power to deal with that under the ordinary law.

10159. With regard to your scheme about the separate examination in India, I understand the examination in India you want to be a qualifying one, not necessarily a competitive one?—My scheme is for a competitive examination.

10160. But you say it should be laid down that there should be a minimum number of marks obtained?—Yes.

10161. Would not that be a qualifying examination rather than a competitive one?—If you call it a qualifying examination on that account, then of course it is qualifying, but I do not understand that that makes it any the less a competitive examination. What I mean is this. It would be open to the Government to say that any man who gets in must at least get, say, 2,500 marks, taking the average from the lists to ensure that he will be a superior man with superior intellectual acquirements.

10162. You have taken an instance of 60 vacancies and you have said that 20 should be reserved for Natives of India, and that if the list of successful candidates at the examination held in London includes 20 Natives of India, there will be no vacancy to fill up as the result of the examination in India, but that if it includes only five Natives of India there will be 15 vacancies to be filled up by the result of the examination in India, and that if there be none successful in England the whole 20 will be filled up from candidates in India; and you say that in the case of candidates appearing in India it should be laid down that there should be a minimum number of marks necessary to be obtained. Now, supposing more than 20 get above that minimum, what would you do with the rest?—Then it would be the first 20.

10163. So that there is a chance of a man coming in the examination above the minimum and yet not getting in?—No; for the examination in India I say the minimum number of marks necessary to be obtained is so much, and anybody getting any marks above that will be eligible; but then as between those who are eligible you will determine who has got the largest number of marks in order to let them in.

10164. Then am I to understand that it is not a necessary part of your scheme that those who get the minimum number and do not succeed in getting into the Indian Civil Service should be utilised for any other services?—I have not suggested that in regard to the examination in India, but if it is considered practicable I know of no objection to it. I have not thought of it from that point of view.

10165. With regard to the question of the separation of the Judicial and the Executive, do not you attach some importance to what is known as the judicial frame of mind?—I do.

10166. Do you think that a person who passes ten or twelve years of his life in the Executive branch of the Indian Civil Service has no possibility of getting that judicial frame of mind? I may say that these questions are put with the view of obtaining an idea from you on what you take to be the time of bifurcation between the Judicial and the Executive?—I have heard it suggested that if you are too long in the Executive branch you get what is called an executive bias, and there is undoubtedly something to be said for that.

10167. Is it with reference to that that you have roughly settled the period of five years?—No, I cannot say it was. You have to fix a particular period and the earlier you do it the better, having regard to the fact that you have only a certain number of years which a man can put in.

10168. Do not you think that a knowledge of the miscellaneous work you are referring to in the departments would be acquired by an officer of the intelligence which success in an examination of that kind implies that three or four years would be enough?—Probably it would. I have put the figure at 5, but I do not lay any stress upon it. All I mean is, early in his career.

10169. Supposing it was suggested that it ought to be eight years, would you consider that to be too late?—It is a matter of opinion, I should think eight years would be too long, but I am bound to add that when Mr. Madge drew my attention to the fact that the Local Government Board considered nine years as the minimum period, I thought I should like to know why they say so before I could finally make up my mind with regard to it.

10170. Personally, I quite agree with you because I have seen instances of that bias. For instance you might convince a Magistrate that the statements of a witness to the police were absolutely inadmissible, and yet after labouring on the point for an hour I have heard a Magistrate ask me, "That is all right, but how can I help knowing that that was the first thing?"—I can quite understand that.

10171. With respect to simultaneous and separate examinations, you attach some importance to the fact that some disappointment would be caused because of a large number of candidates appearing for the examination and not getting through?—I said it might be caused.

10172. But so far as such discontent may be caused would not that be a point to be considered?—Of course it will cause disappointment when people do not get in, but what I was asked was whether it would produce a feeling of injustice or unfairness, and I said it might, but I did not personally think it would.

10173. I did not go so far as unfairness, but if for the next ten years a large number of Indian candidates appeared at the Indian examination and failed, then would not the discontent produced in the minds of these young men who try and fail be a source of unrest?—I do not think it will have any such serious consequence as that.

10174. Assuming there will be some discontent, do not you think it would be better to have discontent among those who appear in England and fail there than amongst those who appear here and fail here?—Yes, or not being allowed to appear at all; that is a much more serious objection.

10175. Do not you think that in the period which it will take to work up to your irreducible minimum, which you calculate to be about one generation, the English door will be wide enough to admit the requisite number of Indians?—I doubt that very much.

10176. Do not you find that a larger number of people are now getting in by the examination in England?—Yes, a larger number of people are appearing.

10177. Do not you find that officers of the Government send their sons for education in England?—Very few.

10178. But very many more are alive to it now than they were ten or fifteen years back?—There are more people doing that now than there were a few years ago, but the number is very small.

10179. You do not think that, calculating it in that way, 30 years would give you the number you require?—I think it is impossible.

10180. (*Sir Theodore Morison.*) May I ask you a little more about this alternative scheme? Do I understand that if the recruitment of the Judicial branch is entirely separate you would not make any alterations with regard to the admission to the Indian Civil Service?—Yes; that is so; the Judicial appointments would practically resolve themselves into District and Sessions Judgeships being taken away from the appointments scheduled under the Act of 1858. If you take away the District and Sessions Judgeships from that and the Indian Civil Service is recruited for as it is, I shall have nothing to say to that.

10181. It would be really for the Executive Branch only?—Quite so.

10182. Would you leave it as it is?—Yes, one examination in England open to all His Majesty's natural-born subjects.

10183. Would you press for these 100 scholarships under those circumstances?—No.

10184. With regard to that, I understand you would leave it exactly as it is?—Quite so.

10185. Only the number of posts would be smaller because the Judicial appointments would be withdrawn?—Yes.

10186. How would you recruit for this Judicial branch?—I would recruit it in three different ways, that is to say, by either examination or selection in England; I would have the whole number competed for in all these places but keep a few for the Subordinate Judicial Service for promotion from the Subordinate Service.

10187. Like the listed posts?—Yes, analogous to that, and the rest to be appointed in England as well as in India. The particular method by which the appointments are to be made may be either competitive examination or selection. If we could get the High Court Judges in England to assist us to select men from the Bar, I would welcome such a process of selection, but there might be difficulties with regard to that.

10188. You would appoint from the Indian Bar?—Yes, both Barristers and Pleaders.

10189. There would be a certain number promoted from the Provincial Civil Service and a certain proportion from the Barristers and Vakils at the Indian Bar, and also a certain proportion appointed from England?—That is so.

10190. Of course you prefer your own plan, but you yourself would accept this as a tolerable equivalent?—I think on the whole this would be probably more acceptable to both sides than the one I have suggested.

10191. And you put it on the ground of the approved merit of the Indian Judge? —Yes.

10192. There is no risk in his case?—There is no risk.

19193. And the efficiency of the Indian administrator?—With regard to that questions have been raised and apprehensions are entertained, but there is no such apprehension with regard to the Judicial.

10194. The reputation of the Indian Judges has not been questioned?—No.

10195. Do you think that in Bengal generally this would be accepted?—That is my belief, and I have every reason to think so.

10196. You yourself would accept it?—For myself I would accept it.

10197. I see you insist on residence in England for Indian probationers?—Yes.

10198. Would you mind answering a very general question? Do you think from your experience in Bengal that the Indians who have gone to England have been superior on the whole to those who have not gone to England? Among the half dozen first-class men you have known, the very best men, what proportion has been to England?—I could not answer that; I could not fix the proportion.

10199. But it would include some of the men who had been to England, would it not?—If I may answer the question in a very general way, I think residence in England does give us Indians a wider outlook than if we had not gone to England. I find myself that in most matters they take a broader view than those who have not been to England. Of course I do not mean to be offensive in any way to those who have not been, but that is my belief.

10200. I only asked the question because the evidence in Madras was in a somewhat contrary direction?—My belief is as I have stated.

10201. (*Lord Ronaldshay.*) You mentioned the institution of simultaneous examinations in this country and said that you did not anticipate for many years the introduction of a larger number of Indians into the Civil service, but you contemplate the possibility of their finding their way in?—The bare possibility.

10202. But still it is conceivable?—It is very difficult to express it.

10203. There is the bare possibility: that is all I want for my purpose?—Yes.

10204. If these simultaneous examinations were instituted in this country, and if the bare possibility became a fact, would it not be almost impossible to make any alteration in the system with a view to limiting the number of successful Indian candidates?—It would be very difficult if the bare possibility became a fact—an eventuality which I do not anticipate.

10205. I am assuming that. You think it would be really practically impossible?—Yes.

10206. Assuming the existence of that bare possibility, is not that a very grave objection to the institution of a system of simultaneous examinations in this country?—Yes, only I have endeavoured to express my opinion with regard to that bare possibility. I say there is a bare possibility, though I cannot conceive its ever being turned into a fact.

10207. I only wanted to bring out the difficulty of doing anything afterwards?—Perhaps I ought to give my reason why I say that. I know the calibre of the Indian boys, and I think I know the calibre of the English boys, and having regard to the calibre of both classes of boys, and the educational facilities in England and the want of educational facilities in India, I think when I say there is a bare possibility I am really understating the case. I think it is practically impossible that an Indian boy under those conditions would have much chance or any chance of success against an English boy.

10208. I quite agree with that, but so long as the bare possibility exists, that possibility does constitute a grave objection to the institution of that system?—That apprehension has to be allayed.

10209. With regard to your alternative scheme in which you suggest that a fixed number of vacancies every year should be set aside for Indians and be filled if possible by Indians passing through the English door, and if not by a subsequent examination in India to make up the deficit, I think you said in answer to Sir Valentine Chirol that Indian candidates who had failed to get in by the English door would be able to repair to India and then get in by the Indian door. In answer to Mr. Gokhale you stated that it would be possible to avoid that by having the Indian examination taking place almost immediately after the English examination. Would not that be impracticable?

Who is going to set the Indian examination papers?—As I said, it would be the Civil Service Commissioners.

10210. But must not these men have some time after the English examination in order to draw up their examination for India?—Is that an insuperable difficulty? That will probably require another set of men being employed beforehand and being told to have the questions ready.

10211. I am suggesting to you that there would be practical difficulties in the way of holding a subsequent examination in India very soon after the examination in England. Let me now suggest another difficulty. Until you have had your examination in England you do not know how many vacancies you will require to fill up in India. It is conceivable there might be no vacancies, and therefore no Indian examination. Would not that be a great hardship on Indian students who, having put the finishing touches on their training for the examination, discover at the last moment that the examination is not to take place? Would it not be necessary to have a considerable interval, say six months or something of that kind, between the examination in England and the examination in India?—Those details would have to be worked out, but even if there is some slight disadvantage we would have to put up with that for the sake of the advantages in other directions.

10212. Unless you can get over the practical difficulties of holding your Indian examination almost immediately after your English examination your scheme will be open to the objection that Indians, who have been defeated in the English examinations by English candidates who have not been able to get into the service because they were below other Englishmen, will come out to India and might get into the service through the Indian examination; that is to say, an Indian who had been defeated by an English candidate would get into the service, whereas the English candidate who had defeated him, but who had not acquired sufficient marks to get in, would be kept out of the service?—I do not think it would be a very grave evil, because it may be that a man who is defeated in an examination to-day, if he were to have the chance of going up for the same examination to-morrow, would pass it, and pass it better than those who had defeated him on the previous day. Where is the evil in giving this man two chances?

10213. But you are giving the Indian two chances and the Englishman only one?—The Englishman has the next year.

10214. You mean that the Englishman has the same chance next year?—Yes.

10215. Let us assume that. Assume that the Englishman has a second go next year and gets in and finds himself below an Indian whom he had defeated the year before. Does not that seem rather an anomalous position?—No doubt, but can you pin your faith to that extent on a competitive examination, that because A defeats B to-day therefore for all time A must be put down as a superior man to B? Why make an assumption of that kind?

10216. The assumption would be the other way in this case. With regard to your objection to the system of listed posts, I understand your main objection is that under that system men who get into these posts are too old to do themselves justice or to benefit by their having risen to those posts. Do you think it would be possible to draw up a scheme under which picked men from the Provincial Civil Service might be appointed to listed posts after eight or ten years' service in the lower grades?—It would be better than the present system; it would give them a chance of getting into the higher service earlier in life, and they would have a better chance of adapting themselves to their new social status.

10217. Do you think there would be any grave difficulties in the way of such a scheme?—Except that they would never be absolutely equal to their English colleagues in the service. Unless they belonged to the same service, it is impossible to create that feeling of equality which is what I prize above all.

10218. But if it were possible to introduce a scheme by which picked men from the Provincial Service are given listed posts after eight or ten years' service, that is to say, at the same period of their service as Indian Civilians rise to superior posts, and if the men who had reached these listed posts were then to be enrolled in the same service as the Indian Civilians, would that get over your difficulty, and would that be accepted by Indian public opinion as satisfactory?—I do not think so.

10219. You think not?—I think not. In the first place, would you propose that they should have the same pay as members of the Indian Civil Service?

10220. On my assumption, yes?—That would remove some portion of the distrust or suspicion with which they would be looked upon, but even then I doubt whether the social position would be the same. It is not merely pay that makes the social position. They would not have the same social position as a member of the Indian Civil Service in the same appointment.

10221. Even if they were enrolled in the service?—By being enrolled I take it you mean by being given the same pay?

10222. Let me give you an analogy. Men from the subordinate service are to-day promoted to the Provincial Service, and I assume that when they have been once promoted to the Provincial Service they are not regarded as being inferior?—They are regarded as being inferior to members of the Indian Civil Service in the same appointment.

10223. Am I to understand that the men who are promoted from the subordinate services to the Provincial Civil Service are regarded as being on an inferior plane to the men who had been recruited direct to the Provincial Service?—No, I do not mean that.

10224. That is my analogy. If it is possible to promote men from the subordinate service to the Provincial Service without the charge of their being on an inferior plane, would not it be equally possible to promote men from the Provincial Service to the Indian Civil Service if you enrolled them in the cadre of the Civil Service without these men being regarded as inferior?—I rather think not, because the Indian Civil Service is looked upon as the ruling caste, so to speak, and it is difficult to admit anybody into that caste except through the ordinary door of admission. It is that which creates their position and that which gives them the status.

10225. Then the whole difficulty really is the door by which you get into the service, not the fact that you are in the service?—And the position, pay and privileges incident to it.

10226. If the pay and privileges are conceded, would not the promoted man from the Provincial Civil Service be regarded as on the same plane?—He might in time, just as you can admit a Member of the House of Commons into the aristocracy; but I take it in the beginning he would be looked upon more or less as an interloper. But I am speaking without experience in that matter.

10227. You are thinking of the promotion of a Member of the House of Commons to the House of Lords?—To some extent.

10228. In your answer to question (37) you suggest that the officers who are selected for the Judicial branch of the service should be given a period of training as Munsifs and as Subordinate Judges. The objection to that which occurs to my mind is that if you are going to take men from outside the Judicial branch of the Provincial Service and give them the duties of Munsifs and Subordinate Judges you are going enormously to block promotion in the lower grades of the Provincial Civil Service, are you not?—No, I do not think so. In the first place the number of Indian Civilians working as Munsifs and Subordinate Judges would not be very great, as compared with the number of Munsifs and Subordinate Judges doing the ordinary work.

10229. Can you tell me how many Subordinate Judges you have in Bengal?—No, I could not give you the number, but I should think there would be about 50.

10230. (*Mr. Sen.*) There are 42?—Yes, there is about that number; I do not think that is very far out.

10231. (*Lord Ronaldshay.*) How many of these men undergoing training do you contemplate would be acting as Subordinate Judges at one time?—I suppose it would be four or five at a time, certainly not more.

10232. Then you have to take those off the present men?—Yes.

10233. Surely that would make a good deal of difference?—That would be a very small matter; it need not block their promotion at all.

10234. I quite accept your view on that point; I am only asking for my own information?—That is my idea.

10235. (*Mr. Bompas.*) I think there was a slight misunderstanding at the end of your examination by Mr. Macdonald. When you object to the combination of judicial and executive functions, I think you do not object to the same officer doing settlement work and then becoming a Collector and eventually becoming a Judge?—No.

10236. You object to the District Magistrate exercising judicial and executive functions at the same time?—Yes.

10237. Taking your proportion of one-third Indians and two-thirds Europeans, that is, for the Imperial Service for the whole of India?—Yes.

10238. Would you preserve that ratio in the different provinces, that is to say, would you always send one-third Indians among the newly recruited Indians to every province?—Not necessarily.

10239. That is not an essential part of your scheme?—No.

10240. You might get more than one-third Indian officers in some provinces?—Yes. The Local Governments would be the best judges as to how many Indians they could take in that particular province, having regard to the requirements of the particular provinces and the particular districts.

10241. Would you pay any attention to the province from which a recruit came in posting him?—I think so. Ordinarily I would post him to his own province because he is likely to be more useful there.

10242. So as to have the advantage of his knowledge of the people and the language?—Certainly.

10243. That is to say, it would be a matter of chance after the examination what percentage of Indian officers were actually engaged in the Civil Service in any province?—When you say it would be a matter of chance, I would point out that it has to be determined by selection as to what particular officers are to go to what provinces. That must be a matter of choice either on the part of the candidate or of the Government. It may be necessary to override the candidate's choice for reasons of State and not give him the province he wants, supposing he happens to be unsuitable for that province; it might be necessary to give him a province which he does not want but for which the Government thinks he is suitable.

10244. Still it is a great waste of possible efficiency if you send an officer who knows the language and customs of one province to another part of India?—There is hardly any scheme which has not some disadvantages. You cannot have a perfect scheme.

10245. But you would favour his going to his own province if possible?—I would.

10246. Would you say that an officer from another province would be at a disadvantage as compared with an officer from the same province, in the influence he would be able to exercise over the people?—In some respects possibly he would.

10247. Take an ordinary Bengal district now, and assume that a Bengal Magistrate or Judge is as welcome or more welcome than an English Collector or Judge: do you think there is any reason to suppose that the mass of the people would prefer a Punjabi or a Madrassi Collector to an English Collector?—I have no reason to suppose they would.

10248. (*Mr. Mukherji.*) With regard to your scheme for the recruitment of the Indian Civil Service, you have taken away the listed posts, and you admit also that it will take an official generation, say 30 years, to work up to your one-third of the posts reserved for Indians. In the meantime what would you give to the Provincial Civil Service to compensate them for the loss?—I take it they will have some compensation, but I am not prepared to say what the exact proportion would be or what the exact number of appointments would be that would remain listed. I have not thought that out, but it will have to be considered of course.

10249. You say that the appointment of Provincial Civil Service men to the listed posts has not been always successful, and you attribute it to the fact that they have been selected at far too advanced an age?—Generally speaking, yes.

10250. Do you think that it has often failed owing to the appointment of unsuitable men? Do you consider, from your experience, that the men who are appointed are generally suitable?—My own idea is that they are generally suitable.

10251. You think then that age is the bar?—I think so. Generally speaking, they have been fairly good men.

10252. In answer to question (51) you say that after reserving a certain number of appointments for nomination the rest should be thrown open to competition. Would you fix the proportion?—I should not like to lay down any proportion, not having sufficient data before me to do so. I mean that only a small proportion should be left for nomination.

10253. Up till lately there was a competitive examination in the Executive branch of the Provincial Civil Service, was there not?—Yes.

10254. Have you any idea of the men who entered by that door?—Yes, I have known them personally, and I have also heard of them through their fellow members in the service and also from their official superiors, and I have heard very good accounts of them.

10255. Do you think that that was distinctly a good system?—So I believe, and so I have been always told.

10256. With reference to your answer to question (50), you say there are too few posts in the superior grades of the Provincial Civil Service; I am referring to the Executive Branch—the Deputy Magistrates. They now rise to Rs. 800, which is their top grade. Sub-Judges have Rs. 1,000. Do you think that the Magistrates require a grade or two grades above Rs. 800?—I think so. That is what I meant when I said that.

10257. You think the number of men in the grades at present is far too few?—Far too few.

10258. (*Mr. Sen.*) You have already expressed an opinion that the work of Munsifs and Sub-Judges as a class is extremely satisfactory. You also say that there are too few posts in the superior grades, and that the number should be increased. You are further of opinion that the present scale of salaries was fixed many years ago, and that it urgently requires revision in order to enable Provincial Civil Service officers to live according to their position. Do you think that the Provincial Civil Service Judicial officers as a class are very hard-working officers?—Yes.

10259. And the duties they have to perform are of a very responsible character?—They are.

10260. In consideration of their work, do not you think they are deserving of sufficient encouragement in respect of their pay and prospects in the service?—Most certainly I do.

10261. Are you aware that there is great congestion in the service, especially in the intermediate grades, and that promotion is very slow on account of that?—I have heard so.

10262. If that is so, are you in favour of a time-scale which would remove the cause? At present promotion depends on uncertainties, on casualties, death, retirement, etc.?—I do not feel competent to give an opinion with regard to that.

10263. You have not thought about it, probably?—No.

10264. You have mentioned a scheme by which a definite proportion of vacancies in the Indian Civil Service should be filled by "Natives of India," and in that case you propose to abolish the listed posts, but of course the interests of the present members of the service should be sufficiently safeguarded?—Of course.

10265. Even if the listed posts are abolished you say that the Provincial Service men should have some sort of outlet in order that they may be promoted to listed appointments?—Yes, the power of the Government should be retained for that purpose.

10266. But supposing your scheme is not accepted, then you think that Barristers and Vakils of the High Court may be appointed to District Judgeships?—Yes, subject to what I have said in answer to Sir Theodore Morison with regard to the other scheme about separate recruitment for District and Sessions Judgeships.

10267. But you think some Barristers and Vakils should be also promoted to District Judgeships?—Yes.

10268. At present you know some of the District Judgeships are open to members of the Provincial Service?—Yes.

10269. And you are also of opinion that members of the Provincial Service who have been appointed as District Judges have worked very well?—Yes.

10270. Do you not think that in the interests of that service a fixed number of District Judgeships should be always reserved for members of that service?—I do not know about being always reserved, but I have said there ought to be the possibility of promotion from the Subordinate Judical Service to the higher Judicial Service, that is to say, from Subordinate Judges to the posts of District and Sessions Judges.

10271. But then if Barristers and Vakils are appointed, that may have the effect of reducing the number of Judgeships at present allotted to the Provincial Civil Service men, and unless some appointments are set apart for the service, it may have the effect of depriving them of such appointments?—I should be content to leave that to the High Court, who would have the selection. If they could get a better man from the Bar than the Subordinate Judicial Service man, I would leave it open to the High Court to select from the Bar. Whoever the selecting authority is it should be free to select either from the Bar on from the Subordinate Judicial Service.

10272. Are the listed posts now open to the Provincial Judicial Service sufficient in your opinion? I should say that the present number is about four out of 31 Judges, including the Legal Remembrancer?—If there is no alteration in the scheme for the Indian Civil Service, I think the Provincial Judicial Service men ought to have a larger number of the appointments listed.

10273. You seem to be of opinion that the present practice of appointing Sub-Judges to District Judgeships at the close of their official career is not sound?—That is so.

10274. Possibly you think it desirable that Sub-Judges should be appointed District Judges at a much younger age?—Yes.

10275. If the present method of recruitment of District Judges from members of the Indian Civil Service be materially improved, and in view of the fact that there is a highly efficient class of Judicial officers in Bengal who have been already recruited from the Bar, is it at all necessary that District Judgeships should be recruited from members of the Bar?—I think so even then. The infusion of fresh blood would do good.

10276. Why do you insist on filling District Judgeships from members of the Bar?—As I said just now, the infusion of fresh blood would do good.

10277. Probably it is the English system, that all Judges are recruited from the Bar?—That is so.

10278. But at what age are they appointed?—They are recruited at a very old age as a reward for meritorious services at the Bar.

10279. And at what age are County Court Judges recruited generally?—Even County Court Judgeships, as far as I know, are not given to a man before he is of a good many years' standing at the Bar.

10280. Do you think that Barristers also should be of that standing before they are appointed District Judges?—Having regard to the circumstances of this country, if you insisted on the same age-limits, it might frustrate the scheme altogether.

10281. Do you know the Continental system?—I do not know.

10282. My information is that in Germany and other European countries the English system does not prevail, but that some such system analogous to the system in this country prevails?—You may be right.

10283. Then why should there be any change?—I am not suggesting a change.

10284. If Barristers come in then they intrude upon the District Judges and the Provincial Judicial officers?—Barristers and Vakils are appointed to High Court Judgeships now; and if they are good enough for High Court Judgeships then they are good enough for District Judgeships.

10285. I am not questioning their qualifications, but asking why should another class come in? In Continental countries such a system does not prevail. Why should outsiders come in at all?—The question is which is the best method of getting the best men for the service. If you do not get the best men by selection from the Bar, I should be the last person to advocate it.

10286. You are getting the best men from the Indian Civil Service and from the Provincial Civil Service?—And to have another class from which selection may be made would enlarge the area of selection, and thereby increase the chances of getting the best men for the service.

10287. You say in answer to question (24) that you think it essential that men holding posts equivalent to those ordinarily held by members of the Indian Civil Service should have their social position and surroundings as nearly as possible the same as those of Civilians. I do not quite understand that. Do you mean to say that they should live in European style?—If possible, I should prefer it, but I am not suggesting that it should be made compulsory.

10288. But you prefer that they should live in European style?—Speaking for myself, I should prefer it.

10289. Do not you think that once an officer of the Provincial Civil Service is raised to the position of a District Magistrate or District Judge, his social position is assured?—I do not think so from what I have seen.

10290. As soon as a man is a District Judge or District Magistrate, his social position among his own community and others is assured by the very fact?—That is not my experience.

10291. What is the relation between the capacity of a man as a Judge and his particular style of living?—Not in his work as a Judge, but in the confidence which he inspires inthose amongst whom he has to administer justice.

10292. Do not the Indian High Court Judges who are recruited from the Vakils live generally in Indian style?—Yes.

10293. Do not you consider them very eminent men in their line?—Yes.

10294. Are they inferior to any of the English Judges or any Judges living in European style?—I do not think so.

10295. You wish that the social position and surroundings of Indian District Judges and Magistrates should be as nearly as possible the same as those of Civilians: why do you then recommend that they should get two-thirds of the pay that is drawn in the same posts by members of the Indian Civil Service?—Because I have not heard that they complain about the pay.

10296. But why should they get only two-thirds of the pay if their position is the same?—If we cannot get the same class of men as now for two-thirds of the pay, it would be necessary to give them the full pay, but I have not heard statements that the two-thirds pay is complained of; and it seems to me it is possible to get these men for the two-thirds, and they are able to live on the two-thirds according to their position.

10297. Do you not think that pay means prestige, and that if you give a man Rs. 2,000 and another Rs. 1,200 that very fact means loss of prestige?—It does to some extent.

10298. If you wish that the same social position and standing should be maintained, probably you would be prepared to advocate that they should get equal pay?—It would be better from that point of view, the point of view of keeping up their position and prestige, that they should have the same pay.

10299. You say that the Provincial Civil Service men holding listed posts are at present too old to adapt themselves readily to their new position?—Yes.

10300. Will you tell me whether it is not the rule in England that elderly men are generally appointed as Judges in that country?—They are.

10301. Are not age and experience good recommendations for the position of a Judge?—Undoubtedly.

10302. Do you think that the appointments of men like Mr. Justice Sarada Charan Mitter and Mr. Justice Lal Mohan Das at the age of 55 or 56 as Judges of the High Court was objectionable from the standpoint of efficiency?—No.

10303. Do you not admit that if a man is appointed a District Judge after he is 54 or 55 years of age, that does not make him a less efficient Judge than a District Judge who may be appointed at a comparatively younger age?—Perhaps I have not made my meaning clear. It is because they are appointed from an inferior service in which they have occupied positions until they have grown old, so that when they are transferred to the superior service they are not able to maintain that position of equality in relation to the members of the Civil Service; that is where the difficulty comes in.

10304. That is because, as you have said in reply to Lord Ronaldshay, the Civil Service forms a "caste" in themselves, and will not allow anyone to come in unless they come in through the same door?—That partly is the reason.

10305. So that even if they get Rs. 2,000, they will not be admitted into the "caste"?—And it is partly the inability of the men who are promoted at an old age to assert and maintain that position of equality which they have at last obtained.

10306. I should rather think that a man who became a Judge at the age of 54 or 55 became the loser because he could not stick to the service for a sufficiently long time?—He is a loser of course if he cannot remain in the service very long, but the analogy which you were pleased to mention between the Judges appointed to the High Court and the Judges appointed as District Judges from the Provincial Service does not hold good to my mind. A man appointed to the High Court has never held that inferior position that a man in the Provincial Civil Service has held.

10307. Do you mean to say that a Vakil before being appointed a Judge occupied the same position as a Judge of the High Court?—He had no reason to consider himself inferior.

10308. Does the public think that a Vakil occupies the same position as a Judge of the High Court?—No.

10309. The Provincial Service officer who gets Rs. 1,000 salary is made a District Judge after so many years' service?—I do not think the public look upon the Vakil as inferior to the High Court Judge in the same way as they look upon the Munsif or the Subordinate Judge as inferior to the Civilian District Judge.

10310. I see you have recommended that there should be a separation of the Judicial and Executive functions?—Yes.

10311. If that is accepted, do not you think it would be desirable that there should be one class of Provincial Judicial officers in the country exercising both civil and criminal powers, or in other words that the Provincial Judicial Service, including the Deputy Magistrates, also should form one service under the administrative control of the High Court?—That is what I have said.

10312. You have said there may be a competitive examination for Munsifs, but at the same time you have said that unless there is a reason for that change you would not advocate it. If I tell you that during the last four or five years, of those who have been appointed as Munsifs more than fifty per cent. are M.A., B.L.'s, some of them having passed the B.L. examination in the 1st division, do you even then think that a competitive examination is necessary? In fact the High Court is taking the pick of the University?—I believe I said I had no reason to think that the present system is not working satisfactorily, and unless there is reason for a change, I would not advocate any change.

10313. (*Sir Valentine Chirol.*) I want to clear up one rather technical point with regard to social status which arose out of Mr. Macdonald's examination. Is not the list of social precedence about which we have heard based entirely upon the equality of the posts and not upon the equality of the holders, that is to say the social status is decided by the post and not by whether the holder of that post came from the Provincial Civil Service originally or by whether he is a Civilian?—I have not studied the warrant of precedence very much, but I believe there is precedence given to holders of a particular office, and that members of the Indian Civil Service have a particular order of precedence according to the number of years' service they have put in, but where precisely the one or the other comes in I do not remember exactly.

(The witness withdrew.)

KIRAN CHANDRA DE, ESQ., I.C.S., Magistrate and Collector, Rangpur.

Written answers relating to the Indian Civil Service.

10314 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of open competition is working quite satisfactorily. I accept the principle of competition in recruitment as the only sound and equitable one.

10315 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—See answer to question (7).

10316 (3). Is the system equally suitable for the admission of "Natives in India" and of other natural-born subjects of His Majesty?—The system is quite suitable for Natives of India as well as others, and I do not recommend any separate or special facilities or qualifications for either class.

10317 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty?—No differentiation is desirable.

10318 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do not think that the combination at all affects the Indian interests.

10319 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by head masters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by head masters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—See answer to question (1). I consider open competition to be the best method of recruitment and deprecate all the systems marked (*a*) to (*e*) in this question.

10320 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I approve of a simultaneous examination in India and England, with the same questions and the same examiners and a combined list of results for both centres, Indian and other candidates being allowed freely to the examination at either centre, but with the condition that candidates selected at the Indian examination should be called upon to proceed to England and reside at an approved University for at least three years, and to take a degree there.

10321 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—No.

10322 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I do not recommend these proposals.

10323 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I approve of simultaneous examinations.

10324 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I approve of simultaneous examinations.

10325 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—If the system of simultaneous examinations be adopted, I do not think it is at all necessary to throw open any listed posts to the Provincial Civil Services. Indian youths of ability and promise could compete for the Indian Civil Service examination. If they fail or do not go up and then enter the Provincial Civil Service, they cannot justly look forward to preferment to any of the listed posts.

10326 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No separate method of recruitment is desirable, but separate training seems necessary. See answers to questions (64) and (65).

10327 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The present definition is satisfactory.

10328 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I have advocated above simultaneous examinations in India and England. For both the simultaneous examinations and the single examinations in England, I think the age-limits should be over 17 and under 19 on the 1st January. This age will suit all candidates, Indian and European, both in India and in England, and will give ample opportunity for embracing any other career in cases of failure. To obviate entering on their duties in India at too young an age when they would be unfitted for the onerous tasks of administration, I would recommend that after selection every candidate should reside at an approved University in the United Kingdom for a minimum period of three years and read for and take a degree, preferably one in law. This will give the necessary finish to the education, widen the mental horizon, and develop those qualities of intellect and emotion which are so essentially necessary for the sound administrator. I would not stand in the way of a fourth year's detention in England if considered necessary for specializing in Indian language and law.

10329 (18). What is the most suitable age a which junior Civilians should arrive in India?—About 21 years.

10330 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—Please see answer to question (15). I recommend no differentiation in any particular between "Natives of India" and others.

10331 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I agree to the principle laid down by Lord Macaulay's Committee.

10332 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are in your opinion desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of University-leaving age?—The subjects and marks in each that I would recommend are given below: of these English composition should be compulsory—

Subjects.	Marks.
(1) English composition (compulsory)	500
(2) History of England ...	500
(3) History of India ...	500
(4) English literature ...	500
(5) Greek	600
(6) Latin	600
(7) Sanskrit	600
(8) Arabic	600
(9) French	500
(10) German	500
(11) Mathematics (pure and mixed)	1,000
(12) Natural science: that is the elements of any two of the following sciences, viz., Physics, Chemistry, Botany, Zoology, Geology, Physiology	600 each.
(13) Logic and Psychology ...	600
(14) Metaphysics and Ethics ...	600
(15) Political Economy and Political Science	500

10333 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—I recommend no differentiation in any particular between Natives of India and other candidates.

10334 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—I consider it necessary that certain posts should be reserved for the members of the Indian Civil Service, for such posts require such proved ability and training as these members possess, and in order to make the service attractive. I would add the following posts to the Schedule to the Indian Civil Service Act of 1861:—Inspector-General of Police; Director of Land Records; Director of Agriculture; Commissioner of Excise; Chairman of the Calcutta Corporation.

10335 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—No.

10336 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—No. I recommend no recruitment to the Indian Civil Service except by open competition.

10337 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—In my humble opinion, yes. Also yes, though unfortunately many of the prize appointments have been denied to them.

10338 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No. Recruitment by open competition should suffice for all purposes.

10339 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—I do not think a mixed commission is at all desirable in Bengal.

10340 (30). Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility?

Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I do not think a mixed commission is at all desirable in Bengal.

10341 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—I do not think a mixed commission is at all desirable in Bengal.

10342 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—I do not think a mixed commission is at all desirable in Bengal.

10343 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I do not think that this arrangement gives any satisfaction to anybody. An officer of the Provincial Civil Service selected for the post of an Assistant or a Joint Magistrate would much prefer to be called an Assistant or a Joint Magistrate, though on reduced pay.

10344 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Please see answer to next question.

10345 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—In my humble opinion the answer to this question is in the negative. I would therefore recommend that these listed posts be abolished. The ambitions of the Indian youth ought to find legitimate satisfaction in the simultaneous examinations for the Indian Civil Service.

10346 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The results of the existing system have been very satisfactory and I recommend continuance of the system. Please see my answer to question (15).

10347 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) I do not recommend any alteration if the present age-limit remains. (*b*) Three years at least; may be four.

10348 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

10349 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—I recommend Cambridge or Oxford, because of the tone the students acquire there.

10350 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. I recommend £200 a year for the whole length of probation, paid quarterly, on the production of satisfactory report on conduct and progress from the tutor.

10351 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—I recommend residence in a University.

10352 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No.

10353 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—No. I have above recommended reduction of the age-limit to 17 to 19. Under these circumstances, a candidate cannot be said to have completed his general education at that age. I would insist on his adopting a regular course of studies in the University and taking a degree, besides acquiring special knowledge to fit him for his future duties.

10354 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—(*a*) Under the existing system I would recommend no alteration except that Hindu and Muhammadan Law should be a compulsory subject; (*b*) under the system that I have proposed the same syllabus as mentioned in (*a*) above would be sufficient, it being understood that this examination would be in addition to the degree which the candidate must take.

10355 (52). In particular, please state your opinion as to the desirability during the period of probation of (*i*) compulsory attendance at Law Courts in England and reporting of cases; (*ii*) the teaching of Indian Law in addition to the general principles of jurisprudence; (*iii*) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(*i*) Desirable, (*ii*) essentially necessary, (*iii*) desirable, (*iv*) (*a*) desirable, (*b*) desirable, (*c*) necessary.

10356 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—England.

10357 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—Not desirable.

10358 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Not desirable.

10359 (56). In the report of the Treasury Committee appointed to consider the organization of oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—No. They would get the best teaching in an English University.

10360 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—I do not recommend recruitment by any method except open competition.

10361 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty?—No.

10362 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India?—Yes.

10363 (61). Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?—Yes. The only change I would recommend is that an ampler knowledge of the vernacular should be required so that the Civilian could easily read and understand a vernacular newspaper.

10364 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think so. The causes are complex. The chief causes are that the English language has practically supplanted the vernacular in the work of administration, and the Indian population have learnt the English language to much larger extent. No. 1 would demand a much higher standard for the departmental examination. This could be attained by regular perusal of vernacular newspapers and of vernacular novels and other light forms of literature, as also by mixing more freely with educated Indians.

10365 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—No.

10366 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barrister's chambers or other), and what conditions do you propose?—All officers selecting the Judicial branch should be called upon to take a law degree or be called to the Bar. Within ten years of service, they should be further called upon to study for a year in a practising barrister's chambers in London. For officers selecting the Executive branch, no more training is required than outlined before in the course of studies for the final examination in the Indian Civil Service and the departmental examinations.

10367 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Please see answer to question (64) above.

10368 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.—No, though perhaps it would be better for a junior officer at head-quarters of the district who has selected the Judicial branch to be appointed a Subordinate Judge and try a certain number of contested civil suits and appeals from the Munsifs.

10369 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

10370 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty?—I do not recommend any differentiation.

10371 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—I do not recommend any system of recruitment except by open competition.

10372-73 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

10374 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should throughout the whole period of their service have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior posts," carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I agree to the principle. The period of eight years is quite suitable on the understanding that no officer should be denied acting or permanent promotion due to vacancies on account of this rule. No alteration is necessary if the age-limit is reduced.

10375 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—I do not know that this is part of the existing system. In my case, after five years' service I have continued without interruption in the superior posts. I do not consider any hard-and-fast rule on the subject can be laid down. The acting promotions must depend on the state of the cadre and be governed by the Civil Service Regulations alone. I submit that no rule should be laid down on the subject.

10376 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—I submit that more junior officers of the rank of Joint Magistrates are necessary. We ought to have at least 20 in each grade.

10377 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that the appointments as Heads of Departments in the Secretariat of the Local Governments and in the Government of India are practically closed to Indians. I submit some of us might be given a chance. Regarding compulsory retirement, the present system by which the inefficient officers are reduced to the grade of Joint Magistrates and then allowed to retire as soon as they earn full pension is quite fair and equitable. I can suggest no alteration.

10378 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The functions are combined in the so-called Executive officers. If there is no financial objection, I submit that better administration will result if the functions are separated.

10379 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province?—Correct, except that there should be three Under-Secretaries to Government instead of two.

10380 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—No. The distinction in emoluments between the Judicial and Executive branches is too invidious and unnecessary. I beg to suggest the following scales of pay for Bengal:—

	Rs.
Assistant Magistrates, 3rd grade	500
Ditto, 2nd „ ...	550
Ditto, 1st „ ...	600
Twenty Joint Magistrates, 2nd grade	800
Twenty Joint Magistrates, 1st grade	1,000
Fourteen Magistrate-Collectors, 3rd grade	1,500
Thirteen Magistrate-Collectors, 2nd grade	2,000
Twelve Magistrate-Collectors, 1st grade	2,500
Five Commissioners	3,000
Thirteen Judges, 3rd grade ..	2,000
Twelve do., 2nd „ ...	2,500
Five do., 1st „ ...	3,000

10381 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—To both.

10382 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—I think the scale of pay for similar posts should be the same in all provinces.

10383 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I should like to see it abolished, for it makes an invidious distinction between Indians and others, although practically all Indians in the service have to keep their families and educate their children in Europe and many "others" who draw exchange compensation allowance do not do so. The exclusion of Indians has been an unmerited slight and one of our greatest grievances. If possible, the exchange compensation allowance should be abolished for all officers now in service as well as for future entrants. The necessary consequence of such abolition should be an increase of salary equivalent to at least four pence in the rupee.

10384 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—This increase should be given to all members of the service without distinction of race or creed.

10385 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The existing system of acting allowances is quite sound and produces no inconvenience or dissatisfaction.

10386 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The existing system of officiating grade promotions is quite just and equitable and appears to be in the best interests of Government and the officers.

10387 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I do not consider that a time-scale of salary at any period of the service is at all necessary.

10388 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

10389—(101). What is your experience of the practical working of time-scales of pay in other Indian services?—I have no experience of time-scale of salary except among ministerial officers, and their case does not compare with ours.

10390-1—(102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of the service is different?—I am not in favour of a time-scale.

10392 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I have advocated before the abolition of the Statutory Civilians and of listed posts.

10393 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I do not think so. In my case during 19 years of service I have taken less than six months' leave on full pay. The reasons in my case were, that I generally kept excellent health and I did not care for the transfer which was deemed to be a necessary consequence of leave. Besides in the earlier years of my service, such leave was often refused. I think the amount earned should never be allowed to lapse. If a lapse be deemed essentially necessary, I should say that it ought to be accumulated up to five months at least before any lapse.

10394 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Not in every case. I cannot judge. In case of some European officers all the furlough allowance under the existing rules appears to be necessary.

10395 (109). Do you consider that the rates of furlough allowance are suitable? If not, what changes do you recommend?—I suggest no change. Please see my answer to question (111) below.

10396 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—This concession should continue unless my proposal in answer to question (95), of an increase of 4 pence in the rupee of the salary is adopted, in which case this concession is unnecessary.

10397 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—The maximum allowance should be increased from £1,000 to £1,250. The minimum and maximum allowances drawable in India should be the same as in England, namely, Rs. 7,500 and Rs. 18,750.

10398 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—No. Yes.

10399 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?—No.

10400 (114). In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—No.

10401 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—No, except as stated in paragraph 2 of answer to question (111).

10402 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I have before recommended the abolition of the Statutory Civilians and listed posts.

10403 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—No. The pension ought to be increased after every year's active service after full pension has been earned. Please see answer to question (120).

10404 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—A non-contributory system of superannuation pensions would be very acceptable, if the minimum service and minimum pension be the same as now.

10405 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—In my humble opinion an officer of the Indian Civil Service should be allowed to retire on a pension of £1,000 a year after completing 21 years' active service, whether he had taken 21 years or 25 years or any intermediate period to do so. After 21 years' active service the contribution should cease. For every additional year of active service he should be allowed an additional pension of £25 a year, provided that the maximum pension allowable to any officer should be £1,250. This would retain the Civilians longer in the country and not deprive the country of their mature judgments and the accumulated knowledge of many years.

10406 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual services as Judges? Do you recommend any change in the present conditions?—I do not see any reason why the Judges of the High Court should have preferential treatment, and I submit they should be subject to the same rules as other members of the Indian Civil Service.

10407 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—No. I think all members of the Indian Civil Service should have the same pension irrespective of the appointments they may have held, subject only to the increment described in my answer to question (118).

10408 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—I submit that the rule about non-contributory system of superannuation pensions should be worked as follows:—

After 21 years' active service—pension of half the average salary of past three years, subject to a minimum of £1,000 or Rs. 15,000.

For each year of additional active service, an increment of £25 over £1,000.

10409 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I do not think any member of the Indian Civil Service should be made to retire before 21 years. Surely some kind of appointment in either a superior or an inferior post could be found suitable to an officer of this service, however inefficient he may be, when he has once proved his merit in the open competition and had the training the service requires. For accidental incapacitation, the existing rules of retirement and pension are ample and suitable.

10410 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—No. An officer should be allowed to retire after 21 years' active service irrespective of the actual time he has taken to render that service.

10411 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I do not know these Regulations.

10412 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—No. It is one of our standing grievances. Whatever may have been the difference between the social conditions of the Indians and other members of the Service when this invidious distinction was devised, I submit that there is little or none at present. The argument against our joining the Family Pension Fund was, I am told, that a Hindu or a Muhammadan could marry more than one wife. But the exclusion applies equally well to Christians, Parsis and Brahmos who are precluded by their religion from marrying more than one wife. Nor have I heard of any Indian member of the Service of any religious persuasion who has more than one wife. Even if such a case ever occurs, it would not be difficult to meet it, for the pension could be made allowable to the senior wife alone.

10413 (131). Do you recommend that such admission should be optional or compulsory?—Compulsory.

10414 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—No. This will make the distinction wider and the dissatisfaction more acute.

10415. (136) Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable. and explain fully your views, making any suggestions that appear to you suitable?—The organisation is and has always been perfectly satisfactory. I consider no alteration desirable.

Written answers relating to the Provincial Civil Service.

10416 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Quite suitable.

10417 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—In my opinion candidates selected by open competition were the best. I recommend that at least one-third of the appointments in the Executive branch be selected from the Subordinate Civil Service, and two-thirds appointed by open competition. For the Judicial branch, I recommend open competition among pleaders, vakils, advocates and barristers.

10418 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—I consider that so far as Bengal is concerned, there is no dearth of suitable local candidates and only local candidates should be appointed.

10419 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I think so. I consider it not necessary, efficiency being the only test for administrative appointments, as in the case of the Indian Civil Service.

10420 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—For the executive service, the training and probation is similar to the training of the members of the Indian Civil Service. I consider this to be satisfactory. I do not think that there is any training at present for the judicial service. I recommend a special departmental examination in the Laws of Procedure, in High Court Rules and Orders and Accounts.

10421 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Quite suitable. I suggest no alteration.

10422 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

10423 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The so-called executive officers have to exercise both executive and judicial functions. I admit that better administration will result if these functions are separated.

10424 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—No. I recommend the abolition of the listed posts altogether.

10425 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. An officer selected to be an Assistant Magistrate or a Joint Magistrate would much rather prefer to be called as such, although on inferior pay.

10426 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes. I suggest no alteration.

10427 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed?—The principle is quite sound and I accept it.

10428 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. I suggest the following grades for both Executive and Judicial branches:—

	Rs.
First grade	1,000
Second "	900
Third "	800
Fourth "	700
Fifth "	600
Sixth "	500
Seventh "	400
Eighth "	300
Probationers	150

I would also abolish the designations of Subordinate Judges and Munsifs and call them all Deputy Judges.

10429 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. I would recommend that acting grade promotions should be allowed as in the case of the Indian Police Service.

10430 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I recommend no time-scale of salary.

10431 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not at all approve of the listed posts.

10432 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No. It is necessary. I suggest no alteration.

10433 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes. I recommend no change.

10434 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

10435 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No.

10436 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—No.

10437 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—No.

10438 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is in your opinion the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—No.

10439 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes.

10440 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?—No.

10441 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—No.

10442 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I propose abolition of the listed posts.

10443 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Yes. I recommend no change.

10444 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—I consider that the contribution should be made compulsory.

10445 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes.

Mr. Kiran Chandra De, called and examined.

10446. (*Chairman.*) What is your caste?—I am a Kayastha.

10447. You are a member of the Indian Civil Service?—I am.

10448. You are a Magistrate-Collector (2nd grade), Rangpur?—Yes.

10449. How many years have you been in the service?—Going on for twenty years now.

10450. Can you tell me briefly what course you took in your early days after passing your examination?—I went to Cambridge.

10451. Did you go straight from India to pass your preliminary examination, or did you spend some time in England first?—I went from India and was two years in England before I went up for my open competition, and then after I got through I went to Cambridge, where I had an Exhibition in St. John's College, and I stayed there until the final, and then came out.

10452. How old were you when you passed the open preliminary examination?—Just over twenty-one.

10453. How old were you when you took your degree?—I took my degree in Calcutta at the age of 19.

10454. How many years did you remain in England after passing your competitive examination?—A year and three months. Our probation was a year, and I think there was three months' delay.

10455. Then you came out here and took your degree?—No, I took my degree in India before I went to England.

10456. You are in favour of a system of simultaneous examinations?—Yes.

10457. Do you desire to see the maintenance of a minimum proportion of Europeans in the Indian Civil Service?—It will be maintained in any case even with a simultaneous examination.

10458. You are positive of that?—For the next one hundred years I am absolutely positive that it will be, unless of course the intellect of England deteriorates for any reason and English boys cannot compete with Indian boys.

10459. That is a prediction on your part?—It is based on my consideration of the Indian boys of to-day and the system of Indian education, and the English boys of to-day and the system of English education.

10460. You cannot say it is impossible, but you say it is highly improbable?—I should say it is highly improbable.

10461. But you cannot say it is impossible?—It is impossible for me to say that of course.

10462. You would not suggest any means by which that contingency, remote though it be, could be avoided?—I do not oppose any such scheme if considered necessary.

10463. You desire to see the age-limits reduced to 17 and 19?—I do.

10464. And then you would like to see three or even possibly a four years' course at Oxford or Cambridge after the open competition?—Yes.

10465. I notice that you particularly select Oxford or Cambridge?—Yes, because those are residential Universities and ancient Universities having a tradition and a tone of their own.

10466. You would confine it to those two?—I would. I would not add any non-residential Universities like Edinburgh or London.

10467. What would be your objection to those being added as well as the other large and increasingly important provincial Universities in England?—For two reasons. First of all Oxford and Cambridge are residential Universities, and secondly they are ancient Universities having a tradition of their own which give a special tone to the youths.

10468. There are other Universities that fulfil the first qualification, although you might not consider that they filled the second qualification?—I have no objection to their being included.

10469. With regard to the three or four years you have mentioned, that is a very much longer period than we have had put before us by most witnesses: why do you suggest so long a period?—To give them a thoroughly good education, because at the age of 19 a man's education cannot be said to be completed.

10470. Do you think there would be any danger during that long period of the candidate getting somewhat slack?—There was no such difficulty experienced just before my year when men used to be two years and sometimes three in England on probation. There are several men in our service, two or three years senior to me, who have had three years' probation, and I think they are all the better for it.

10471. You are strongly of the opinion that the present one year is much too short?—Much too short.

10472. What sort of University course would you recommend during this period?—I would recommend an Honours Degree.

10473. In Law?—Law preferably, because whether a man comes out in the Executive or the Judicial a good knowledge of law is required.

10474. What would you allow him during this period?—I have suggested £200 a year.

10475. If at the end of the period of three years he failed, would you make any arrangement by which he should refund any money that had been advanced to him?—No. I do not think that would be fair, because he enters by an open competition and is chosen by open competition.

10476. So that you would risk the results of the three years' probation on the strength of the open competition?—Yes.

10477. Under your scheme you would abolish the listed posts?—Naturally. There would be no need of listed posts if there is simultaneous examination out here and in England.

10478 Do you think that members of the Provincial Service would take the same view?—I am thinking of the future. Of course the present members of the Provincial Civil Service will have some objection to it, and no doubt some provision will have to be made for their preferment and special treatment.

10479. Why do you say the listed post system could not be continued conjointly with a simultaneous examination? There is no practical obstacle in the way, is there, of giving promotions from the Provincial Civil Service and of having examinations in both countries for the Indian Civil Service?—My experience of the selection for the listed posts has been that the best men have not been selected: the people who have been selected have not given satisfaction, or that amount of satisfaction which we expect.

10480. You speak from your own experience?—Yes, from what I have seen during the 20 years of my service.

10481. From what you have seen of occupants of the posts?—Yes.

10482. They are not of the character you would like to see and that you think you would see under your scheme?—Yes. I am opposed to selection altogether, as you will see from my evidence. Any system of selection at any time I think leads only to favouritism and in a great many cases to the appointment of the unworthy and the unfit.

10483. Are you opposed to selection in the Provincial Service as well?—Yes. I have proposed an open competition for both branches of the Provincial Civil Service, without any nomination or selection.

10484. In answer to question (21) you mention a certain number of subjects of examination, and you would have an aggregate of all those subjects. Would you insist upon the marks in certain subjects reaching a given standard?—When I entered into the service there was no aggregate, but subsequently an aggregate was prescribed and I thought that that was a good thing, because in the year I got in I took six subjects and received about half the marks of the man who came out top and who took 13 or 14 subjects.

10485. I suppose there was a qualifying standard?—Yes. If I had known what the marks would be like I would have taken more subjects and tried to get more marks, but I think an aggregate would be better as it would prevent cramming.

10486. You think that provided there is a qualifying standard the candidate might take up as many subjects as he liked and get all the marks he can?—No. I say he should not take more subjects than aggregate to a certain number of marks, say up to 4,000.

10487. You mean an aggregate of marks, not an aggregate of subjects?—That is so.

10488. In answer to question (64) you say that all officers selecting the Judicial branch should be called upon to take a Law degree and be called to the Bar. Would that be before they entered the service?—It may be either before or after they have entered the service.

10489. How long after would you say?—Seeing that they will not be confirmed as a Judge before they qualify themselves in this way, they should do it as soon as they can.

10490. With regard to pensions, you suggest better terms of pensions for greater length of service on the ground that Civilians would be retained longer in the country?—Yes.

10491. We have had a good deal of evidence to the effect that it would be undesirable to encourage officers to remain too long in the service. Apparently you would rather favour the older men remaining in the country?—There are two points of view. There is the personal point of view of the Civilian himself who wants to get out of the country the moment he gets his pension, and the point of view of the country which wants the best man for as long a time as possible.

10492. You think the best men are the men of experience who should stay a little longer?—Every inducement should be offered to them to stay longer.

10493. You do not agree with the theory that when a man has reached the age for voluntary retirement he is worked out and is not much more use to the service?—No.

10494. You rather think he is fully matured and would be of additional use to the service?—I think so.

10495. You recommend open competition for the Judicial branch of the Provincial Civil Service?—Yes, for both the Judicial and the Executive.

10496. What age-limit would you fix for the examination?—I think the present age-limits are 20 to 25. I have not thought over the matter, but I think those limits are good enough.

10497. Do you think that an examination of that character would be likely to attract a good class of Vakil and Barrister?—Of course at that age one cannot say whether a man is a good class Vakil or Barrister, as he has only just entered into the profession and is barely making any income.

10498. You think that a complete system of open competition is preferable to the suggestion made by so many witnesses that the system should be part competition and part nomination?—I would not have any nomination at all for the Indian Civil Service, which is the *corps d'élite* of the service in India. With regard to open competition, it has been doing perfectly well so long, and everybody is satisfied that it is the best way of getting in, and I think that is the best way of getting in in every other service.

10499. But you do not base it merely on theory? From what you said just now I understand you base it on your own experience, and you think there might be a very considerable improvement in the Provincial Civil Service if your proposal was carried out?—Yes, my experience is to that effect, because in the old days, when I joined the service, in Bengal the Provincial Civil Service was recruited by open competition, and the men who got in in that way were decidedly better than the men we are getting now.

10500. (*Lord Ronaldshay.*) You told the Chairman you did not think there was the smallest probability of the necessary number of Europeans in the service being reduced as the result of a system of simultaneous examination?—Of course they would be reduced.

10501. I mean the essential number. Do you consider it essential that there should be a certain number of Europeans in the service?—Yes.

10502. Have you any idea in your mind as to what that proportion should be?—So far as Bengal is concerned I do not think the administration will suffer if the number is about half Europeans and half Indians.

10503. At any rate, you think it is essential that half should be Europeans?—Yes.

10504. In your answer to question (21) you suggest that the marks for Sanskrit and Arabic should be put at 600?—The same as Latin and Greek.

10505. At the present time the marks for Sanskrit and Arabic are 800: do you want to reduce the number of marks?—Yes, because my examination will be held at an earlier age. If you compare these marks with the marks for examination held at that age, they would be about the same I think.

10506. You suggest reducing the number of marks for Sanskrit and Arabic?—Yes, for all the subjects more or less. I reduce the standard considerably.

10507. In answer to question (37) you say you do not think the system under which most of the inferior listed posts are merged in the Provincial Civil Service gives satisfaction, and you give as your reason that an officer of the Provincial Civil Service selected for the post of an Assistant or a Joint Magistrate would much prefer to be called an Assistant or a Joint Magistrate, though on reduced pay. What is he called now?—Deputy Magistrate.

10508. Would his grievance be met if the members of the Indian Civil Service who hold similar posts were also called Deputy Magistrates?—The members of the Indian Civil Service would not like that.

10509. But would the Provincial Civil Service man's grievance be met if the members of the Indian Civil Service who were doing similar work were also called Deputy Magistrates?—If there are no Assistant Magistrates or Joint Magistrates and they are all Deputy Magistrates, there would be no difference, and he would be quite satisfied.

10510. It is really a question of the name?—The name carries something else. If a man is once an Assistant Magistrate he gets promoted to a Joint Magistrate and subsequently to a District Magistrate.

10511. Men in the listed posts never can get that promotion?—They do get it, but the same man does not get it. At present these vacancies are added to the cadre of particular grades, and nobody knows which man in that particular grade is the holder of the listed post.

10512. And that is not satisfactory from the point of view of members of the service?—It is not satisfactory to anybody.

10513. In answer to question (39) you say that the officers of the Provincial Civil Service selected to fill the listed posts are not on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility. Is your conclusion based on experience?—Yes.

10514. You have compared men whom you have personally known holding listed posts with men you have personally known holding similar posts but who are members of the Indian Civil Service?—Yes.

10515. And the comparison has been unfavourable to the men who have held the listed posts?—That is so.

10516. In what respect do they fall short, generally speaking?—In efficiency altogether.

10517. Do you mean that they do not perform their duties so thoroughly?—And they are not held in the same respect; they do not command the same influence.

10518. In answer to question (95) you say you would like to see the difference in pay which arises out of what was known as the exchange compensation allowance abolished, and you say that practically all Indians in the service have to keep their families and educate their children in Europe. Do you mean to say that the Indians in the service must, as a result of being in the service, incur as much expenditure as a European does?—Yes, we must, because, holding the position we do, it is incumbent upon us to adopt the European method of living *in toto*, and we have got to do that.

10519. If that is so, there would be no economy in manning the service by Natives of of India?—There will not be.

10520. It will be quite as expensive as manning the service with Europeans?—Yes.

10521. You seem to be inconsistent in connection with one point, or it may be my fault in not understanding it. In answer to question (107) you say that you have taken less than six months' leave on full pay, and one of the reasons why you have taken so little is that you did not care for the transfer which was deemed to be a necessary consequence of taking leave; but then in answer to question (114), when you are asked if the leave rules are a contributory cause of excessive transfer of officers, you say "No." Surely the answer to question (107) clearly means that if you had taken leave on full pay, it would have necessitated transfer, and that being so, these leave rules apparently are a contributory cause.—The answer to question (114) is incorrect, I mean to a certain extent, that is to say, not the sole cause.

10522. Then you very considerably modify your answer to question (114)?—I do; I did not notice it before.

10523. With regard to the Provincial Civil Service, you say that you want it to be a special open examination, and you told us when you joined the service a good portion of the vacancies were filled by open competition?—Yes.

10524. As a matter of fact, between the years 1884 and 1904, I think 123 candidates got into the Provincial Civil Service through a competitive examination, and out of those 123 I think there were six Muhammadans, two Eurasians, one Bihari, and the whole of the others were Bengali-Hindus. Are you a native of Bengal?—I am.

19525. Then you would not object to the service being filled by Bengali-Hindus?—No.

10526. Do not you think it is desirable on many grounds that in a country where there are so many communities, whose interests in many cases are very divergent, those communities should have a certain share of representation in the service of the State?—I do not know of any considerations which necessitate sacrificing the efficiency of administration for the sake of pleasing a particular community.

10527. It is not really a case of pleasing a particular nationality, is it? Are not there administrative grounds for having a certain proportion of Muhammadans in your service if you have a large Muhammadan population?—It is necessary, I admit, to have Muhammadan Deputy Magistrates in a district to assist us in administration, but the advance of education amongst this backward class is very great indeed in recent years.

10528. But if no Muhammadans were successful in the competitive examination, how do you get over the difficulty?—In the near future they will not be unsuccessful. If the Dacca University scheme is to be adopted, I think the Muhammadans will come to the front and will beat the Bengali-Hindus.

10529. That is your opinion, but you cannot prove it?—Even now they are getting in more and more.

10530. Through competitive examination?—In the University examinations. Education is spreading fast among them.

10531. But you will not admit there might be that difficulty?—No.

10532. (*Sir Theodore Morison.*) Have you been back to your own college in England recently?—I was there the year before last.

10533. Do you think that the Indian now gets the same advantages out of residence in Cambridge that he did in your time?—I think so.

10534. Did you speak to any Indian undergraduates at your college?—No. I spoke to the master and to my tutor, and to the Dean and other people, and I arranged to send my son there. They made some difficulties in the beginning, but they said that because he was my son they would take him. There was a great deal more difficulty about admitting my son than there was about admitting myself.

10535. Did the master explain to you the origin of the difficulty, or did you speak on the general question with him?—Yes, I discussed it with him.

10536. Did he think that the opportunities for the Indian undergraduate getting the best out of life at Cambridge were as good now as when you were there?—I did not hear anything to the contrary.

10537. You say in answer to question (95) that all Indians in the service have to keep their families and educate their children in Europe?—They have to, more or less.

10538. Do you mean quite early as boys, or do you refer to a University education?—I have not sent my children when young. I will not send them when they are too young. Other people have different opinions and have been sending their children young.

10539. To English schools?—Yes.

10540. So that in that case the expenses are the same?—Yes.

10541. Is it general in Bengal to send boys at an early age to England?—I do not know; I am only thinking of members of my service. Some of them do not, and some of them do. Personally I do not believe in sending children too young. Other people have sent them early, and they have been educated at Clifton, and other public schools.

10542. At thirteen or fourteen?—No; at six, seven, and even five years of age they have been sent to England.

10543. Then the apprehension which we met in Madras about denationalisation is not felt to the same extent here?—Not by some people. I feel it, and that is the reason I have not sent my sons.

10544. (*Mr. Chaubal.*) With regard to your remarks about the Bengali-Hindus, can you tell me who are the people you call Bengali-Hindus?—The Hindus of Bengal of course.

10545. How many divisions or sub-divisions have they?—They are innumerable. It has taken up two or three volumes of Sir H. Risley's "Castes and Tribes of Bengal" to describe them.

10546. When you speak of Bengali-Hindus you do not mean that they are a community by themselves in the sense in which the Muhammadans are one community?—By no means. You may as well call the Protestants of England a separate community, or the Roman Catholics of Ireland a separate community. A Bengali-Hindu simply means the nation, the people of this Presidency who profess a particular religion.

10547. And amongst these there are sub-divisions which are for all practical purposes quite as separate from each other as the Hindu and the Muhammadan?—Yes.

10548. With regard to the expense of living, I wish to know what the state of things is here. When the Civilian who has come through the English door has to spend a certain amount for his own living here, it is really expense incurred for his own self, but to an Indian the unit of expense is the family, and not the individual. The Indian practically has to support a large family at the same age at which the Englishman has only to support himself. Is not that so?—That is so to a certain extent, but it scarcely applies to the members of the Indian Civil Service. The members of the Indian Civil Service who go to England practically cut themselves off from their families. I do not know any of my brother members who have to maintain a large family or distant relations or anything like that.

10549. Do you mean to say that an Indian going from here at the age of twenty or twenty-one is not a married man?—He is very often a married man.

10550. And sometimes has a child children?—Yes.

10551. But the Englishman, when he comes out here at the age of 23 or 25, is not married?—I have known a good many who have come out married.

10552. Of course there would be some, but looking at the general characteristics of the two people what would you say?—Of the fourteen Indian members of the Service in Bengal now I think only three went to England married.

10553. You mean they have no ties of relationship or relatives or family who depend on the amount they receive?—I do not know of any out of those gentlemen. They may occasionally help a brother or nephew and that sort of thing, but they certainly do not maintain a large family.

10554. May I take it that the Indian who goes from Bengal is a Bengali-Hindu?—I am talking of Mussalmans also.

10555. I am asking you with special reference to the Bengali-Hindu who goes from here to England and returns. As a rule, is he not a member of a joint Hindu family?—I daresay is; he generally lives separately. There may be a reported ruling, but I do not know.

10556. I do not care what the ruling is, I only want to know what the practice is. Is he not a joint member of the family; has he not got the same ties for their support and for meeting their wants?—I do not think so.

10557. In question (39) you were asked whether the officers of the Provincial Civil Service selected to fill listed posts proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and you say your answer to the question is in the negative. Is the negative answer due partly to the selection of the Provincial Civil Service men for listed posts being at a late stage of their lives?—Yes. Those of the Judicial branch are generally put on to the listed appointments very late. The men on the Executive side are appointed much earlier.

10558. Have you had much experience of judicial work yourself?—I have been a Magistrate for about twenty years, and I have been doing judicial criminal work, and I was a Judge for six weeks.

10559. Have you been doing civil judicial work?—I was a Judge for six weeks, and that is not much experience.

10560. Does that six weeks' judicial civil work entitle you to give an opinion on the questions which you have answered here about the training of Judicial officers?—No, that six weeks' experience does not, but the nineteen years' service as a district officer does.

10561. Nineteen years' experience as a district officer in the Executive Department justifies you in saying that the Judicial officers do not want any training? In answer to one question you say there is no training required, and I want to know whether you have seen any work of Judicial officers from which you can judge as to whether it was satisfactorily done or not, in order to be able to speak about the necessity or otherwise of a judicial training?—My experience is based on what I have heard and what I have seen.

10562. But what you have seen was only during those six weeks?—Yes, and the rest is what other people say.

10563. In answer to question (88) you say, "The functions are combined in the so-called Executive officers. If there is no financial objection, I submit that better administration will result if the functions are separated." What do you mean exactly by "financial objection"?—If the Government can afford it.

10564. That is to say, expenditure?—Yes.

10565. Do you think that any scheme you have in view for the separation of the two involves a large additional expenditure?—No; there was a scheme proposed by the Government of Eastern Bengal and Assam which struck me as a remarkably good and cheap scheme.

10566. When was that?—Just before the end of that Government. It was to have been in force in two of the districts I was told.

10567. With regard to pensions, you said that the pension ought to be increased after so many years' active service, after full pension had been earned. What is your opinion about the sufficiency of the present amount of the pension, £ 1,000?—I propose to raise it to £ 1,250.

10568. As you have been to England you know the state of things very much better than I do. What is the amount of pension a gentleman who passed in the same year and was selected for the Home Service would get?—I do not know. I do not think he contributes 4 per cent. of his salary towards his pension as I do.

10569. If you deduct the contribution, what would the pension be?—About £ 400, I believe.

10570. You think £600 has been contributed by the Service?—Surely. It is supposed to be £ 500, but I think it is more.

10571. What is this grievance about family pensions you mention?—It is simply that I am not allowed to contribute towards the Family Pension Fund because of my nationality.

10572. Why is that?—The rules of the fund I suppose.

10573. What do you suggest, a separate fund?—I do not want anything separate; I want to be allowed to contribute to that fund.

10574. (*Mr. Gokhale.*) You have no fear personally that under a system of simultaneous examinations the Civil Service will be swamped by Indians?—I have not.

10575. You have had a University education in India and have passed the Indian Civil Service Examination, and you express this opinion with your experience of both?—Yes.

10576. You are against laying down a minimum for Europeans, not because you do not want Europeans in the Service, but because you are against any unnecessary racial qualifications being laid down?—Yes; it is unnecessary to do so. For the next 100 years there is no chance of the Service being swamped by Indians.

10577. And if it is unnecessary to lay down racial qualifications you would not do it?—No: it will simply increase the racial feeling. There is no racial qualification now with the single examination in England. There is no limit to the number of Europeans or Indians, and therefore why should there be with the simultaneous examination? That would be putting the brand of inferiority on the Indians who get in.

10578. Supposing, as a bare possibility, that the result of the simultaneous examination was that more Indians came into the Service than is thought desirable by the State, they would not come in all at once and the Service would not get swamped at once?—That is so.

10579. Supposing that the bare possibility of which we have been speaking tends to become a fact, still a large number of Indians could not all get at once into the Service?—They could not possibly.

10580. The progress towards swamping would be gradual?—Very gradual.

10581. And if that is found to be a dangerous thing the State could take action?—The State could take action by abolishing examination altogether and going by selection.

10582. Or by merely lowering the age, for instance?—Hundreds of means could be found like that, as, for instance, by requiring a University education or by lowering the age.

10583. It is not as though the danger of swamping would come suddenly on the State and that the State could not alter the arrangement without arousing serious discontent?—No.

10584. In what year of your service did you first get a district?—After four years' service.

10585. And what posts have you held since?—Since then I have been Magistrate-Collector, then Judge, then Magistrate-Collector again, then Registrar of Co-operative Credit Societies in Eastern Bengal and Assam. I was put on to special duty in regard to the fishery enquiries in Eastern Bengal and Assam, and then I came back to Bengal and my Collectorate again.

10586. For how long were you Registrar of Co-operative Credit Societies?—For five and a half years.

10587. As regards Registrarship of Co-operative Credit Societies was any work done before your time there?—No, I was the first man to be appointed to this office. There were two or three societies existing in more or less a moribund condition, and I had to reorganise the whole department from the beginning.

10588. How many societies were there when you left that office?—I cannot give you the exact figure, but nearly 500.

10589. It meant very considerable organisation during the time you were there?—Yes.

10590. Have you ever worked in the Settlement Department?—I had my Settlement training and then I applied for the Eastern Bengal settlement; and although the Government acknowledged my fitness for the post, they could not give it to me because I was too senior. I was drawing too high a pay for the Settlement to bear.

10591. It could not be said you were not given the work because you were not fit for it?—No. I think I have letters from both the Lieutenant-Governor and from a member of the Board of Revenue saying I was certainly fit.

10592. Has your work been appreciated by Government in any capacity?—Do you mean my ordinary district work?

10593. Your ordinary or extraordinary work, or whatever it may be; has it received special acknowledgment from the Government on any occasion?—I do not remember, but I was twice specially mentioned by the Board of Revenue in the Land Revenue Administration Report, and I was complimented several times on my work as Registrar of Co-operative Credit Societies.

10594. As the Collector of your district you must have had a large Muhammadan population to deal with?—In all my districts I think I had nothing less than 70 per cent. of Muhammadans.

10595. What were your relations generally with them?—They were always very cordial.

10596. Has there been any occasion when a complaint was made that you were a Hindu and that the Muhammadans did not get fair treatment from you?—Never.

10597. Was any objection or complaint of that kind ever made by anyone?—I have not heard of any such thing.

10598. Have you ever had to deal with any non-official European population in any of your districts?—There was a large non-official population at Goalundo.

10599. I am putting these questions to you because an opinion has been expressed that Hindu Collectors get into difficulties with the Muhammadan population and do not get on well with the non-official European population. Therefore I want to know whether you have had any difficulties of that kind?—I have not, and I have not heard of any other Indian Collector having any difficulties in the Presidency of Bengal.

10600. So far your promotion has been normal, has it not?—Yes, I have nothing to complain of.

10601. There has been no occasion when you have had reason to complain that you have been passed over?—No.

10602. In reply to question (27), you say "In my humble opinion, yes." Also "Yes, though unfortunately many of the prize appointments have been denied to them." Will you please explain what you mean by that?—I mean that Indian Civilians have been employed in the executive branch as well as the judicial branch; they have been Collectors and Judges and Legal Remembrancers and High Court Judges and Commissioners, and there has been also a member of the Board of Revenue and a member of the Secretary of State's Council. But none of the higher appointments have been offered to any of the present Indian members in the Service.

10603. Do you mean to suggest that Indians as a class more or less are passed over in these appointments, or what is it you want to express? You say "denied to them," and denied means that they should have been given to them but were not given?—We have not been given a chance. I have never been offered a Secretariat appointment or an appointment as head of a department.

10604. Is that the complaint of all the Indian members of the Indian Civil Service?—That is my complaint. I do not know about the others.

10605. And you think it is not due to any fault on the part of the Indians?—It is not my fault. I think you cannot blame us until you give us a chance.

10606. (*Mr. Sly.*) We have had a certain amount of evidence that the European members of the Indian Civil Service, when they come out to this country, come out as a rule in debt, or during the early years of their service incur debt. Can you tell us whether our Indian brother officers generally enter the Service in debt?—Very often they are in debt, although I was not in debt myself. I know of some who have remained in debt for many years.

10607. Owing to the expense of their education?—Yes.

10608. And the expense of their education is one of the main reasons why you recommend simultaneous examination, that is to say, to reduce the expense?—Partly, and principally I might say.

10609. I understand a large number of Indians go to England to pass the Bar examination?—Yes.

10610. And apparently not the same number go there for the Indian Civil Service examination?—No.

10611. Can you tell us why they go in such large numbers for the one and not for the other?—Going up for the Indian Civil Service requires a certain amount of education and ability. Those who do not possess it do not go up for it; those who do possess it go up for it and they have the Bar as a second string to their bow.

10612. You think simultaneous examination would give a chance to a certain number of youths of ability who were unable to go to England?—Yes.

10613. Is that the main reason why you want the simultaneous examination?—That is the only reason really.

10614. In answer to question (12) you recommend the abolition of listed posts; have you considered what would be the effect of that on the *morale* of the Provincial Civil Service? You have a great knowledge of the Provincial Civil Service in connection with your duties, and I should like to know whether you do not think that that would seriously harm that important branch?—There must be something done for the existing members of the Provincial Civil Service, but in the future, when simultaneous examinations take place, an Indian youth who wants to enter Government Service will have a chance of entering for the simultaneous examination. If he fails there he can go in for the open competition for the Provincial Civil Service, and getting through there he cannot say that he deserves the other post.

10615. Although he shows great ability in the Provincial Civil Service you would still give him no chance of rising to superior posts?—Not according to the rules, but if a man proves of exceptional ability he may be afterwards put into any post, according to the statute.

10616. But you would have no listed posts?—I would have no listed posts and no rules on the subject.

10617. With regard to your recommendation for lowering the age-limits, when the age-limits were raised in 1891 one of the main reasons was that it was said to be much fairer to the Indians to have a higher age-limit, and it was mainly done in the interests of Indian candidates?—That is so.

10618. Do you think that going back to the lower age-limits would harm Indian candidates now?—It will to a certain extent, and that is one of the reasons why I say there would not be so many Indian candidates for the simultaneous examination as might otherwise be expected. The lowering of the age is one of the safeguards for reducing the number of Indian candidates; but I did not recommend it for that purpose. I propose the lowering of the age in order to give them three years' training afterwards.

10619. Do not you think that would create a general feeling that you were giving a thing with one hand and taking it back with the other?—No, for many years I think the age was 17 to 19.

10620. Another objection, which applied more strictly to the English candidates was that the lowering of the age-limits was found to encourage cramming institutions at the expense of public schools, and, so far as we can see, perhaps the same results might be expected again if we went back to the early age-limits. Do you think that would be an important objection?—They still go to the cramming institutions.

10621. But only for a short period after getting through the University?—They may go to the cramming institutions in the beginning but it will not hurt them much if they go to the University afterwards and take their degree.

10622. That was one of the strong objections to lowering the age-limits; have you considered that point at all?—No, I did not think of that at all.

10623. In reply to question (81) you have given us certain proposals for the marks of the examination, and I notice you have deliberately omitted the Indian vernaculars from your list?—Indian vernaculars never existed in the lists for the open competition.

10624. You do not wish them included in the list at all?—No.

10625. You do not consider they are suitable studies for a competitive examination?—I do not.

10626. In reply to question (92) you have raised a certain amount of objection to the distinction in emoluments between the Judicial and the Executive branches?—I cannot see why there should be any distinction.

10627. I suppose you know that it was introduced because service in the Judicial branch was unpopular and certain inducements had to be held out to officers?—I know that.

10628. Do you think, now that that position has disappeared, there is no need to maintain this difference?—Yes. As far as I know this Presidency there are more demands for judicial work than for executive.

10629. Can you tell us why this change has occurred in the attitude of the Service towards these two branches?—No. The Judicial officers would be able to tell you why probably. Personally I asked for the judicial, but it was not given to me.

10630. In reply to question (119) you have given your pension scheme; one objection to that has been already stated, and I want to state another. Do not you think that if your scheme of graduated pensions were introduced, a great block in promotion would be caused by the seniors staying on for the extra pension?—It would be good for the country all the same.

10631. In reply to question (124) you have dealt with the question of the retirement of inefficient officers and you have expressed an opinion against any such system. In your own province of Bengal you must know of certain cases of what are ordinarily termed "bad bargains." I believe some officers of the Indian Civil Service have not been promoted to the post of Collector and some have been degraded to the position of Assistant Collector. Do you or do you not consider it a good thing for the interests of the Service that such officers should be kept on? Do you not think that for the credit of the Service and the good administration of the country it would have been much better to have retired those officers as inefficient men and paid them their pensions?—I am thinking of the credit of the Service. If the power is given to any authority to retire a man in the Indian Civil Service on a charge of inefficiency like that, nobody in the Service will be safe, and the Service will lose both its prestige and its attraction.

10632. But you know that in the discussion of the subject considerable safeguards have been proposed; for instance, that the order of dismissal shall vest in the Secretary of State only?—Yes.

10633. And that there should be a Commission of Enquiry composed of a small number of officers?—I have heard of them.

10634. Do not you think that with all those safeguards it would be really better for the Service that some inefficient officers should go?—If sufficiently safeguarded, and the Service does not lose its prestige, I have no objection to any scheme for the retirement of inefficient officers.

10635. With regard to this question of admitting Indians to the Family Pension Fund, you have stated one reason why you think it was denied to Indians, and that was the principle of monogamy. There are other factors that have to be taken into consideration in that matter, such for instance as that the expectation of life of Indians and Europeans differs considerably, the fact that in the majority of Indians there is no such thing as widow remarriage, the fact that the age of majority of the children in India is considerably different from what it is in England, and the important fact of the marriage age of girls and that they do usually marry in this country. Now all these things affect to a considerable extent the contributions that should be paid to such a Family Pension Fund?—I think they ought to reduce the contribution payable by an Indian.

10636. Some may reduce it and some may raise it, but there are a certain number of difficulties in it, are there not?—Yes.

10637. But you think all those difficulties ought to be got over and that it would be much better to put the Indian members of the Service into the Family Pension Fund rather than to have regard to all these distinctions and have a separate Family Pension Fund of their own?—They are too small a community to have a separate Pension Fund. As I said just now, we are only 14 in Bengal.

10638. But if in consideration of these things an actuarial calculation showed they ought to pay either a less or a larger proportion of subscriptions than the European member pays, would that meet with the general approval of the Indians?—I think so.

10639. Provided that the different social conditions show that a different rate of contribution is necessary, that would not matter?—I think that would meet the grievance of the Indian members of the Service.

10640. You do not recommend anything with regard to the Family Pensions of the Provincial Civil Service; do you consider the General Provident Fund sufficient for that purpose?—I was not asked any question upon that.

10641. I think you were in question (45)?—I said that the contributions should be made compulsory.

10642. But are any further facilities required?—If any further facilities are given they would be welcome. I did not think of the matter.

10643. (*Mr. Macdonald.*) With reference to your suggestions about age, if boys of 17 to 19 have to pass this examination, does not that come in very awkwardly if they are students at a University?—They go to the Indian University at the age of 17. Instead of going to the University they will prepare for the examination.

10644. And they would not go to the University at all?—They would not go to the Indian University at all; they would go to the English University.

10645. And the same would hold good regarding the English boy?—Yes, I think the usual age is 18 there.

10646. You really want your examination to be a school examination and not a University examination?—That is so

10647. I see you do not make any provision in the probation time for other subjects than those that are of a school or University character. If a successful candidate is receiving three years' probation in England, do not you think it would be necessary to give him something that would interest him in Indian life and Indian conditions so far as to prepare him for the work he is to do here?—I said that that could be done during either the three years or in a fourth year if necessary.

10648. Where would the fourth year be spent?—Also in England.

10649. You would spend the whole four years in England?—Yes.

10650. Do not you think it would be better to give him a part of his probationary period in India?—If it does not interfere with his training, but I think it will interfere with his proper training. He must be in England.

10651. You lay great stress on mere scholastic education. Do not you think, if the probationary period is going to be long, that you should attend to something else than mere book subjects? The law that you prescribe even is a book subject?—Yes, I wanted them to take the Law degree if they could.

10652. To bring them out here and get them tested in the Indian atmosphere to find out, as Mr. Strong suggested this morning, whether they are going to be capable administrators, in some way or other; have you thought of that side of the probation?—No, I have not.

10653. In reply to question (27) you say that the prize appointments are denied to the Indian members of the Civil Service. Is there a system in Bengal of reporting upon officers by their superior officers?—Yes.

10654. How often are those reports made?—There are several of them.

10655. Have you a rule that they have to be made once a year?—Yes, at least once a year, a Revenue Report and a General Report.

10656. And the method is that an officer, superior to the group or the individual reported upon, makes the report?—Yes.

10657. And he in turn is reported upon by an officer superior to him?—Yes.

10658. Where do these reports go to finally?—I suppose to the Government.

10659. Have you any reason for believing that those reports have any effect upon promotion?—I have never been in the Secretariat and do not know what happens there.

10660. But you know that these reports are made?—Reports go; I send them myself.

10661. You send reports regarding your subordinates?—Yes.

10662. Who may be Indian or may be Europeans?—Yes, both Europeans and Indians.

10663. (*Mr. Madge.*) You quite approve of the competitive system of examination?—Yes.

10664. Do you think it is an equally good test of both intellectual status and character?—It is a test of certain traits of character, not all.

10665. But you draw a distinction yourself later on between qualities of intellect and emotion. From that point of view, would you suggest any change at all in the competitive system with a view to a test of character?—I can think of no other test to take the place of competitive examination.

10636. You have thought of the subject?—Yes.

10667. Do you think that a test of that kind applied to all races would produce the same type of administrator?—I think so.

10668. You approve of simultaneous examinations in India, and I should like to know from what point of view you approach that subject. Is it because you think it would allay a certain kind of reasonable dissatisfaction in this country, or do you think it would give us an equally good stamp of Civil Servant?—It should certainly give an equally good stamp of Civil Servant. It is a question of time only. If you do not have the simultaneous examination, by the single examination in England in fifty years' time more Indians will get in. The more the educational system of India improves and approaches that of England, the more Indian students will get in. The simultaneous examination is simply accelerating the same process.

10669. You have said that they are all the better for a long stay in England?—That is because our educational institutions here are inferior to the educational institutions in England.

10670. Do you think that simultaneous examinations will raise the standard of education here?—I hope so. In future it will, and then there will be less necessity for sending them to England.

10671. Is it not a fact that education is lending itself more to examination-passes than to developing character?—That is a different side again. The Dacca University is going to be a residential University on the model of Cambridge and Oxford.

10672. That is in the womb of the future and you cannot judge from anything like that. It is your hope perhaps, but I am speaking of facts that have come within your personal knowledge?—In the course of the last twenty years there has been considerable improvement in the nature of the education in India.

10673. And you do not think it has been directed more towards passing examinations than towards developing character?—I find it is less and less a cram and affords much more opportunity for proper intellectual development.

10674. You attach some importance to Indians going to England and stopping there for a time?—Yes.

10675. An opinion has been given to the Commission that the later in life the man goes the better he develops a quality of observation which places him in a better position than if he went in the more impressionable years of his life. To which of these two opinions would you hold?—The former; that is to say, the later he goes the better for him.

10676. You do not think it desirable that a minimum proportion of European Civilians should be employed in the higher posts of the administration?—I certainly think it is desirable, but it is unnecessary to fix a limit; there will be always a very large proportion of Europeans in the Civil Service.

10677. In answer to question (24) you say that you do not consider a minimum proportion of European officers should be employed in the higher posts of the Civil administration?—What I meant by that "No" is that I would not fix any proportion. There cannot be a minimum proportion.

10678. Would you leave it to the discretion of the responsible Government from time to time as to how many they should have?—I would leave it to the result of the competitive examination.

10679. But the competitive examination passes all those who pass successfully and come out to this country?—Up to now we have had no limit, and I do not think having a simultaneous examination in India will affect the question to such an extent that there need be a limit.

10680. Do you think it desirable to maintain a British tone in the administration?—Undoubtedly, I do.

10681. Do you think that depends more upon a perfect machinery or upon the personality of the officers?—Upon both.

10682. Do you mean both equally?—Possibly more to the personality of the officers.

10683. With regard to your recommendation of Cambridge or Oxford, do you know anything about the Scottish Universities that would lead you to exclude them? I could see the advantage of the tone and traditions of Oxford and Cambridge, but is there any reason why the Scottish Universities should not produce a type of character equal to any other in Great Britain?—I objected to the Scottish Universities because they were not residential.

10684. That may be a serious objection, but is there nothing else about the Scottish Universities which enables them to produce first-class men?—I admit they produce first-class men but I want the men to live in a residential University. I do not know Glasgow much, but I know Edinburgh pretty well, and there they live in boarding-houses without any control whatever, and it is not good for probationers to live like that.

10685. Do you mean the Indians who go there or the Scottish students?—Both Indians and Scottish students.

10686. But there are Scottish students who come out from Edinburgh and fill very high posts in all the countries of the world, not only in Government service, but in commercial employment and elsewhere?—I admit that, and so they do from London and Calcutta Universities, neither of which are residential. Residential Universities have special advantages of their own, and I wanted to secure those advantages for the probationers of the Indian Civil Service.

10687. (*Mr. Abdur Rahim.*) Have you had much experience of Muhammadán Deputy Collectors?—Yes.

10688. Did you find them efficient officers as a class?—I was particularly fortunate with regard to the Mussalman officers with whom I have had dealings. With one exception only, they were very brilliant officers.

10689. Would you introduce competitive examination for the Judicial Subordinate Service?—I would if I had my way.

10690. Is that because the present condition of that Service is not satisfactory?—I am not capable of giving a competent opinion, but I think with a competitive examination better men will come in than can possibly come in by the nomination system.

10691. You are not in a position to say that the men in the Provincial Service, the Judicial branch, are not efficient officers?—I do not say that, and I have never said it. I said we would get even better men than we had now.

10692. You are proceeding upon theoretical grounds?—Theoretical and analogical.

10693. (*Sir Murray Hammick.*) I suppose your knowledge about educational matters is entirely confined to Bengal and England and you do not know anything about the educational conditions of Madras or Bombay?—None.

10694. When you say there is small chance of Indians getting in at this examination, in a very short time, in large numbers, you are really speaking from your experience of Bengal?—Entirely.

10695. If in Madras you were told that there is every chance of Indians coming in in large numbers, you would not be able to contradict that statement?—I should certainly accept that statement if it were made, and then I would modify my opinion accordingly.

10696. I did not hear what special appointments they were that you said the Indian members of the Indian Civil Service had not been given a fair chance of. How many years' service have you had?—Twenty years' service.

10697. Speaking from the point of view of Madras, I do not know what special appointments an officer of 19 or 20 years' service would have an opportunity of getting?—Almost all the heads of departments here are junior to me.

10698. The heads of what departments?—Excise, Registration, Agriculture, Land Records, and so on.

10699. Your promotions are much faster in Bengal than with us?—They always have been.

10700. (*Mr. Bompas.*) A question was raised as to the meaning of Bengali-Hindus, with regard to the classification of those who had passed the examination. May I take it that all the Bengali-Hindus in the list were of the Brahman, Baidya or Kayastha caste?—No, I am not certain about one or two cases.

10701. They would not be drawn from all strata of the population?—No.

10702. I have had the figures put before me, and I find that there are five exceptions in 115. Therefore they do not represent all strata of the Hindu population?—No.

10703. With regard to the reports of officers, is it not the case that any officer's reputation with the Government depends on the report of a single officer who is superior to the officer reported upon, and that reports are made by the Collector, by the Judge, and by the Commissioner?—Yes.

10704. With regard to the question of degrading inefficient officers, would it not be more satisfactory to their feelings if they left the Service, provided they received a pension equivalent to the pay they would receive if degraded? They would be as well-off pecuniarily and they would not have to serve under their juniors?—If done under sufficient safeguards I have no objection to that.

10705. At the present time the degradations are done without any safeguards?—That is true.

10706. Are you in favour of examinations pure and simple as a method of recruitment both for the Indian Civil Service and for the Provincial Civil Service?—Yes.

10707. Although that may not lead at present to the representation in the Service of the various classes of population?—I think it does not.

10708. You are in charge of Rangpur?—Yes.

10709. And as Magistrate you have a large staff of subordinates under you?—Yes.

10710. Do you not think it any part of your duty to make an attempt to get represented on that staff the various classes of the population, that is to say, to get Muhammadans in your office, even though they may not always be the most brilliant men, or would you be content to have an entirely Hindu office if they were slightly superior in intellect?—I have found among Mussalman officers men of brilliant abilities, and I have found Hindu officers of very mediocre ability. I want only efficiency.

10711. As District Magistrate you pay no attention to getting the different classes of the population of your district represented on your staff?—As far as I can do so. If the rules require it I have to appoint him, whether I wish it or not.

10712. Apart from the orders of Government you pay no attention to that?—I would not if I had my way.

10713. This examination for admission to the Indian Civil Service was framed for the admission of Europeans originally: the age, subjects of examination, etc., were for the European school-boy?—And Indians.

10714. But they were originally framed for the English school-boy and the Indian is admitted to the examination?—When the present rules were framed I think some consideration was paid to the needs of the Indian youth.

10715. But broadly speaking it was an examination to select Europeans to come out to India for service?—I cannot admit that. Europeans and Indians.

10716. Would you say it is possible, apart from other considerations, that the method of selection for Englishmen and for Indians for service in India might be different?—I cannot admit that.

10717. *A priori* you think it will be always the same?—If that system of examination is the best for the Indian Civil Service, it is best for every other service.

10718. You would recruit the high officers of a country always by an examination at the age of 19?—We have done so, so far.

10719. Do you think that the young Indian Civilian coming out may be at a disadvantage as compared with the English, owing to his age. You were put in charge of a district after five years' service when well under 30, and you had under you a large staff of officers, many of them of the highest intellectual and educational attainments, and many of them of the same social rank, and possibly of higher caste, in Hindu society than your own. Do you not think that an officer in that position might find it harder to exercise due control and discipline over men so much his superior in age and to his own rank and the caste of society than an English officer?—No, I do not think so, no more than an English administrator in England will find it, or a German administrator in Germany finds it, difficult to administer his own country.

10720. (*Mr. Mukherji.*) You have said that the appointment of Provincial Service men to listed posts has not been successful for two reasons: firstly, that men are appointed at too high an age, and secondly that they were not often the best selections. Would you tell the Commission if it is owing to any fault *per se* in the Provincial Civil Service men or is it owing to those reasons that the appointments have failed?—Certainly I do not find any fault with the Provincial Service men.

10721. In answer to question (24) you have given two grades, at Rs. 900 and Rs. 1,000. Do not you think there are too few men in the higher grades now ?—I do think so.

10722. Has it been your experience that Deputy Magistrates in the Executive branch of the Provincial Service are as a rule overworked or harder worked than they need be, and that a larger number of men are required and an increase in the cadre ?—Sometimes I feel so and at other times in some districts I do not feel so. In some districts the work is light and the number of officers large, and in others the work is heavy and the staff is small.

10723. So that you think a redistribution of officers might overcome the difficulty ?—It might or might not; it is for the Secretary to Government to answer that question.

10724. You have recommended officiating promotions; it has been said that they would lead to a lot of trouble in the Secretariat and Accountant-General's office. Have you had any experience of that ?—No, but I fancy that all that difficulty can be met by appointing a couple of clerks.

10725. You are aware that men of the Provincial Civil Service do not get first-class travelling allowances until they begin to draw more than Rs. 500, that is, until they are in the Rs. 600 grade. Do you not think they should be entitled to first-class travelling expenses irrespective of their pay? Subdivisional officers get first class allowance now whatever their pay, do they not ?—They ought to get it.

10726. (*Mr. Sen.*) You say that the members of the Provincial Civil Service are, in your opinion, not as successful as District Judges and District Magistrates as Civilians. Does that remark apply particularly to executive officers or both judicial and executive ?—It is of general application to both.

10727. You have said you were Judge only for six weeks, therefore how can you form such an opinion about Judicial officers ?—By observing the holders of those posts during the last 20 years.

10728. How many have you come in contact with ?—About six Judges and three Magistrates.

10729. Then in your opinion the Judges did not command as much influence as they should have done ?—That is so.

10730. Do you think that Indian members of the Civil Service command as much influence as the European members of the Civil Service ?—I should say yes.

10731. Do you mean to say that Indian Judges recruited from the Provincial Service are not as much respected as European members ?—It depends a good deal upon the personality. There have been unfortunate cases in which they did not command the same respect.

10732. Of course you have not seen their work ?—I have seen a good deal of their work, a good deal of their criminal work. The judgments in all sessions cases and criminal appeals and motions are sent to the Magistrate for perusal.

10733. You have not seen their civil work ?—I have seen a good deal of their civil work too, civil work in which the Secretary of State was a party and in which I represented the plaintiff or the defendant.

10734. In your opinion they did not come up to a proper standard ?—In criminal work they did not.

10735. In civil work ?—I am not competent to give any opinion, because whenever I differed I appealed.

10736. Why do you think in criminal work they are inferior ?—I cannot tell you the reason.

10737. Is it because they are vested late in life with the powers of Sessions Judge ?—Whether the reason is any personal disqualification or any defect in the training or delay in the appointment I cannot say.

10738. Therefore, that is only your individual opinion after all ?—That is all.

10739. You say you would also abolish the designations of Subordinate Judge and Munsif and call them all Deputy Judges ?—Those designations are antiquated.

10740. Do you think the expression Munsif is out of date and should be abolished ?—Yes. In the interior the word Munsif carries with it some sense of the old Munsif who was a Rs. 30 man, the same sort of officer as the Daroga.

10741. You say that Indian members of the Civil Service command as much influence as European members of the Civil Service, and also at the same time you say they are denied the prize appointments ?—In the appointments that have been given to them they have kept the same respect.

10742. Why are prize appointments denied to them ?—That is for the Government to answer. I do not know what motive the Government had in denying us these appointments.

(The witness withdrew.)

(Adjourned to tomorrow at 10-30 A.M.)

At Calcutta.

Friday, 24th January 1913.

ELEVENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
SIR VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
GOPAL KRISHNA GOKHALE, ESQ., C.I.E.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, ESQ., Chairman of the Calcutta Improvement Trust.
SARADA PRASAD SEN, ESQ., Additional Sessions Judge, Sylhet.
RAI BAHADUR PRIYA NATH MUKHERJI, Inspector-General of Registration, Bengal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. } *Joint Secretaries.*
R. R. SCOTT, ESQ. }

SIR HERBERT WILLIAM CAMERON CARNDUFF, *Kt.*, C.I.E., Judge, High Court of Judicature, Calcutta.

Written answers relating to the Indian Civil Service.

10743 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I believe that the present system of open competition in England and promotion from the Provincial Services in India is in the main sound. It will be conceded that the character of the administration must and should remain English, and that, consequently, the more important posts should be filled by officers imbued with that character. This qualification is, exceptional cases apart, to be looked for only in—(*a*) persons who have been educated in England and brought up in the atmosphere of life and thought in that country; or, though in a lesser degree, (*b*) persons who have acquired it in India through being trained under English officers in the English system of administration, that is to say, members of the Provincial Services, for the benefit of which, moreover, prospects of higher preferment ought to be kept open. Therefore regular recruitment ought to continue to be from these sources alone.

10744 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—A number of improvements suggest themselves, as the answers to the later questions put will perhaps best show. I refrain from attempting a detailed reply to this.

10745 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I am inclined to approve of the combined examination, if only because it affords an easy and obvious test of the standard from time to time maintained for the Indian Civil Service. Thirty years ago the attractions of that Service were thought so highly of that men usually tried for it first and turned to the Home and Colonial Services only after they had failed for the Indian. This could hardly be said nowadays, and the change is significant.

10746 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) selection by head masters of schools approved or otherwise; (*b*) selection by authorities in universities approved or otherwise; (*c*) nomination by head masters or university authorities and selection under the orders of the Secretary of State; (*d*) combined nomination and examination; (*e*) any other method?—Please see my answer to question (1). I have a leaning towards nomination coupled with competition, and the success of nomination in the case of the Navy inclines one the more to it. But the circumstances of the Navy are exceptional; its pecuniary attractions are small and not such as to excite the envy of parents generally; the candidates have to be selected at an age too early for mere competition in an intellectual examination; and I find no answer to the objection that a system of nomination would probably have excluded some of those who have distinguished themselves most conspicuously in the Indian Civil Service.

10747 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am against simultaneous examinations. The chief reason is that they would be inconsistent with the maintenance of administration on English lines; and, apart from the practical difficulties involved, there are the other (to my mind) convincing reasons given by the Public Service Commission of 1887 and the then Secretary of State (Sir Henry Fowler).

10748 (8). What would be your opinion with regard to filling a fixed portion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I should be against recruitment on these lines, and for my reasons I would refer to my reply to question (1).

10749 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I should be against recruitment on these lines, and for my reasons I would refer to my reply to question (1).

10750 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—Subject to the suggestions I have to make for the better training of officers electing or chosen to serve in the Judicial Branch, I would recommend no separate recruitment for it. The experience gained by a judicial officer during the time when he is employed on general duties is, I think, invaluable.

10751 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent. If not, please state fully any proposals that you wish to make in regard to this matter?—I would extend the definition so as to cover the subjects of Native States in India. Otherwise the definition, though artificial, seems to serve its purpose.

10752 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education? (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved university) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—[(15) and (16)], I am, on the whole, in favour of the finished product of the universities, and I would fix the age-limits so as to secure Honours men. The maximum might, however, be reduced to 23, and the year's probation at home might then be extended to two years. I should think that the one year now allotted for the study of both languages and law must be time thrown away; and, although there are objections to Civilians' beginning their service so late as at the age of 25, they seem to me to be outweighed by the advantages to be gained by a term of two years' probation spent in England. If the probationary terms cannot be extended beyond one year, then it should be confined practically to the study of law and attendance in the Law Courts to be evidenced by the reporting of cases. To the latter I attach enormous importance and think the greatest mistake was made in abandoning it. Judging from my own experience, I consider that the two years spent at Oxford after passing at the open competition of my time was exceedingly well spent. But it did not make "university men" of us, least of all of such of us as chose colleges at which there were a number of other probationers. These were generally in, but not of, their colleges and the university.

10753 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, "that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Subject to one reservation in connection with the study of law, I accept the principle laid down by Lord Macaulay's Committee in 1854, and I have no suggestions to offer. Regarding the subjects at present prescribed for the competitive examination. Practically *every* Civilian at *every* stage of his career is immediately concerned with the administration of law. That being so, it is essential that he should have, from the outset, a sound grasp of at least the elements of law and its first principles. I would, therefore, go the length of making this a compulsory subject at the open competition, and I would encourage a deeper knowledge of law by allotting high marks to a further and more advanced optional paper in it. I would, moreover, encourage probationers generally to enter the Inns of Court with a view to eventually call to the Bar. I would add that to me it seems very desirable that every Civil Servant should have, not only a fair knowledge of the law, but that respect for it which such knowledge brings. There is great danger to be apprehended from the attitude of the officer who pretends to despise the law and aspires to set himself above it; and I believe that more harm has been done by nothing else to the Indian Civil Service itself, not to mention the public, who have suffered the consequences from time to time.

10754 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—My answer is that it is necessary, and that I have no recommendation to make for the revision of the scheduled posts. The statutory guarantee can, no doubt, be evaded by means of appointments made under the exceptional provisions of the Indian Civil Service Act of 1861 or under those of the Government of India Act of 1870; but nevertheless it must in practice help recruitment, and without it candidates of the right kind would probably not be attracted to the Service and the administration of the country would suffer.

10755 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I lay more stress upon education and upbringing than on colour, and so long as the higher posts are filled mainly by men recruited by means of open competition in England, the position seems to me to be secure, and this question is not of much practical importance. That is to say, unless the Service is allowed to fall into disrepute and its attractions to become worthless, it will probably be long before an unduly large proportion of successful candidates at the open competition are Indians, and what should be done when that consummation is anticipated seems to be beyond the range of practical politics. The Public Service Commission of 1886-87 was prepared to go the length of recommending that one-sixth (16·4 per cent.) of the higher posts might be made over to Indians, and that some advance might be made after the lapse of a quarter of a century. In Bengal, according to the last Civil List, there are now 161 European and 13 Indian members of the Indian Civil Service, and 20 scheduled appointments (including Assistant Sessions Judges) are filled by Indians. The result is that there are in the higher posts 161 Europeans and 33 Indians (17 per cent.), whereas for the whole of India apparently the figures are 1,444 Europeans and 162 Indians, and the proportion is 11 per cent.

10756 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—My previous answers will show that, in my view, the present system should be continued. To abandon it in favour of the revival of the old system of appointing Statutory Civilians would mean ruin to the Provincial Services, which, on the contrary, ought to be strengthened and improved. But I think that the present system is faulty and has not been very successful, because under it officers of the Subordinate Services are appointed at too late a stage of their careers, when, indeed, their day is past. To limit myself to the case of the Judicial Service, in which I am most interested, I think it should be possible to select promising Munsifs, to mark them out as probationers for listed posts at once, and to employ them regularly as Assistant Sessions Judges for some years. I would be most careful at the same time not to neglect the senior Subordinate Judges, one of whom should, I am strongly of opinion, always find a place on the Bench of the High Court. Subordinate Judges have elsewhere occupied, and are occupying, such positions with great credit, and I should be sorry to think that there has ever been a time when one could not equally well be found in the ranks of the Provincial Judicial Service in these provinces.

10757 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all Branches of the Administration, whether on Executive or Judicial duties?—Judging by actual results so far, I think that the reply must be in the negative. It apparently has not been found possible to appoint Indian members of the Indian Civil Service ordinarily to the higher Executive posts, such as Commissionerships, Memberships of the Board of Revenue and Secretaryships; and, as regards the Judicial Branch, no such Civilian has ever been appointed permanently to the Calcutta High Court, while only two have risen to be Legal Remembrancers. It has struck me that the best Indian officers are those who have received a substantial part of their education in England.

10758 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I have already indicated that I am against the revival of the system of recruitment by appointing Statutory Civilians. On the other hand, I contemplate a continued advance in the appointment of highly-qualified Indians to the highest posts through the Statutes of 1861 and 1870.

10759 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all Branches of the Administration?—I think it impossible to say that officers of the Provincial Services selected hitherto to fill the listed posts have proved on the average as efficient as members of the Indian Civil Service, and I have already—see my answer to question (25)—indicated what I think is the reason of their non-success.

10760 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system? (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you? (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university? (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—[(43)—(45) and (52)—(53)] I am in favour of a two years' course of probation in England, and I think it should be spent at a university. If, however, only one year can be spared, and it is, as I have recommended, devoted to the study of law and attendance in the Law Courts, then it must be spent in London. My personal experience is that I learnt more and derived more benefit from such attendance and the reporting of cases during my two years' probation than from any other source. I would in any case retain a probationary period in England even were it for no other reason than that it affords an opportunity for discarding a candidate who turns out to be after all undesirable.

10761 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose? (65) Do you recommend any special course of study in law in India for officers selected for the Judicial Branch? (66) Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give details. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—[(64)—(67)] I think that more attention to the study of law is required of all members of the Indian Civil Service, and I have already said so—see my answer to question (20). As regards members of the Judicial Branch there is now, I believe, a strong consensus of opinion, both in the Service and out of it, in favour of the provision of facilities for a deeper study of law and the acquisition of practical experience of its application in the courts. A Civilian begins deciding cases almost from the commencement of his career; and the experience he thereby gains in weighing evidence and considering the *pros* and *cons* from what ought to be, and no doubt, usually is, an impartial standpoint, must surely be of great value and calculated to help him in the end to be a good Judge generally and certainly a sound Judge of facts. And I am not prepared to admit that the only training for the Bench is practice at the Bar; for although that is so under the English system, the English system is, I believe, the exception rather than the rule. Still a Judge who has never practised at the Bar must look at things rather too much *de haut en bas* and will perhaps fail to understand and do justice to cases regarded from the litigants' point of view; and that fault is, I think, to be discerned in Civilian Judges. Then the Bar in India is becoming stronger every year, and it is now no uncommon thing to find a large number of barristers, besides highly-qualified and capable vakils and pleaders, regularly practising in the mufassal courts. A Civilian Judge cannot hold his own with confidence and dignity against such an array unless he has himself some pretensions to being a lawyer. And yet, under existing conditions, a young Civilian who has probably never been in a civil court in his life has, on his first appointment, to officiate as a District Judge, to dispose, in court, of appeals from the decisions of Munsifs and Subordinate Judges, who are themselves professional lawyers and have been trying civil suits for years. I believe that a Judicial Service is in India a necessity and that no workable scheme of recruitment for District and Sessions Judgeships from the Indian Bar is feasible. And I see no reason why the Civilian Judge should not have his defects speedily removed and be enabled to become all that is desired. But it is imperative that steps should be taken to secure that he has (*a*) an adequate equipment of legal knowledge at the outset, (*b*) an opportunity for acquiring experience in civil cases before he becomes a District Judge, and (*c*) facilities for extending his knowledge of law by special study at a later stage and the scheme I would put forward is this:

(i) For the first six years or so, officers should be employed, as hitherto, in the general administration. The experience thus gained not only will be useful to the future Judge, but is necessary for him.

(ii) In his seventh year, an officer should be able to select the Judicial Branch.

(iii) At the end of his seventh year, he should be given one year's furlough to count towards pension and to be prefixed to the furlough admissible to him under the Civil Service Regulations.

(iv) He should spend his furlough at home reading for at least a year in chambers with an approved barrister and at least passing all the Bar examinations.

(v) He should be given substantial pecuniary assistance in order to enable him to go through this course, the hundred-guinea fee for chambers and the Bar fees being advanced conditionally on his success.

I attach much importance to the reading in chambers, and not a little importance to being called to the Bar. It is true that a mere call at one time imparted no legal knowledge whatever, and that even now, although the examinations are real, it does not impart much. But I cannot imagine any officer of seven or eight years' standing in the Indian Civil Service going through the present course seriously (and he would surely take it seriously) without profiting immensely thereby. Moreover, the call is the hall-mark; and in India, where status counts for so much, and where, as I have remarked, every District Court is now full of barristers-at-law, I think it is a distinct advantage to the presiding Judge to be himself a member of the Bar.

10762. (92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Pay in the Indian Civil Service has not, like the pay of other Services, been improved; the rupee has deteriorated in value; the cost of living has doubled or trebled; and the calls upon the Civil Servant are greater rather than less. The supply, however, has not failed, and I think it would be futile to suggest an increase of pay all round. But there are certain reliefs which may well be claimed, and these will now be noticed.

10763. (108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rule? If not, what change do you suggest? (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend? (110) Do you recommend any change in the concession granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s*. 6*d*. the rupee? If so, what change? (111) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees and, if so, what change? (112) Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable? (113) Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration and, if so, what, and what remedy do you suggest?—[(108)—(113)]. Officers do not, as a rule, take anything like all the furlough due to them, and often take far less than they ought to take, simply because they cannot under the altered conditions afford it. The maximum of £1,000 a year presses very hardly on the senior officers, and ought, I submit, to be removed. The present leave rules are subject to many irritating and useless restrictions, such as those that limit the combination of various kinds of leave and prevent the grant of furlough till completion of eight years' service or within eighteen months after return from privilege leave. Until recently a High Court Judge could not combine ordinary leave with the vacation, and a Judge had to return to India and sit in Court on the last day of the term and then return to England for the vacation or spend the latter in India. At last the concession was made that one vacation may be *either* prefixed *or* affixed to leave; but beyond that the Secretary of State has found it impossible to go, and a Judge is still prevented from prefixing one vacation and affixing the next, although, so far as appears, no one benefits in any way by the limitation. I submit that officers should be permitted to draw on any leave to their credit without any restriction other than that imposed by the exigencies of the administration.

10764-5. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service? (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—[(118) and (119)]. There is, I believe, a strong feeling in the Service in favour of a higher pension being admissible to Civilians (other than High Court Judges) who have held such important appointments as Lieutenant-Governorships or memberships of Council. The attraction, *par excellence*, of the Indian Civil Service is supposed to be the pension of £1,000 a year after 25 years' service, including 21 years' actual service. And yet the pension is illusory and really inferior to the pensions that can be earned in other Services. A Civilian who retires after an ordinary career of 25 years in the Service has contributed half of the thousand pounds himself: if he holds prize-appointments he has probably time before he retires to contribute the whole! Compare this with the case of a barrister Chief Judge of a Small Cause Court, who subscribes nothing and earns after 15 years a pension of £750 sterling. In the case of a Civilian High Court Judge the position is still more peculiar. He has, as a rule, fully earned the ordinary pension of £1,000 a year before he enters the Court. He nevertheless is forced to contribute 4 per cent. of his salary as before, the result being that he actually draws Rs. 160 a month less than his colleagues who are barristers or vakils, and earns in the end, after 11½ years' actual work in the Court, an addition of £200 a year to the ordinary pension. In other words, a barrister or vakil draws Rs. 4,000 a month without any deduction for pension and earns £1,200 a year after 11½ years in the Court: a Civilian has to contribute Rs. 160 a month in order to gain £200 a year after the same term. This seems to me to be scarcely defensible, and the anomaly should surely be abolished. I understand that civilians when they become Members of Council are no longer required to contribute towards pension. I should add that a Civilian Judge cannot earn a proportionately higher pension by serving for a part of the 11½ years. A barrister or a vakil retiring on medical certificate after six years earns a proportionate pension.

10766. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—The present maximum medical pension is £700 a year after 25 years' total service * of which 21 must have been active. This limit imposes an extremely severe penalty on an officer whose health breaks down towards the end of his time. I cannot understand why a proportionate pension should not in such a case be granted.

10767. (137) Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—There is a general feeling amongst members of the Indian Civil Service—and I share it—that membership of the Governor-General's Council should be a bar to further employment in India and should never lead to a Lieutenant-Governorship.

Written answers relating to the Provincial Civil Service (Judicial Branch).

10768. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions referred to are suitable.

10769. (2) Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration? (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—[(2) and (9)]. Subordinate Judicial officers are recruited under rather elastic rules from the Bar. Under these rules and the Civil Courts Act of 1887 the High Court nominates and the Local Government appoints on the High Court's nomination. Candidates are first enrolled and must be at least Bachelors of Law who have practised for three years and are under 27 years of age. They are appointed first to officiate in leave-vacancies, and such an appointment must be obtained before the age of 29 is attained. The only objection I have to the system is that officers enter the Service too late in life and have barely time to qualify for pension by the age of 55. And this seriously detracts from the attraction of the Service, with the result that good men are deterred from seeking admission into it. A pleader who is doing anything at all at the Bar at the age of 27 would not think of accepting an officiating appointment, and I fear that a Munsifship is the last resort of the junior without briefs and without ambition. I think that an improvement might, without any real objection, be effected by reducing the three years' practice prior to enrolment to say one, or even dispensing with the qualification altogether. My reasons are two—

(*a*) The qualification is illusory. Only an exceptional man secures any practice during his first three years, and such a man will certainly not seek enrolment. (*b*) There is plenty of time —probably four or five years—for practice after enrolment and permanent appointment.

10770. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Promotions are made invariably on and in accordance with the recommendations of the High Court, and the system of selection is enforced, more particularly in connection with promotion from the first grade of Munsifs to the third grade of Subordinate Judges and from the second grade to the first grade of Subordinate Judges.

10771. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I consider that at least one of the seats on the High Court Bench should always be occupied by a member of the Subordinate Judicial Service. This alone, if it were agreed to, would go far towards increasing the popularity of the Service and encouraging the members of it. As it is, I am sure they feel the stigma attaching to the fact that only once, I believe, has one of them been a High Court Judge, and then only for a brief period.

10772. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I would here refer to what I have said in my reply to question (25) of the questions relating to the Indian Civil Service.

10773. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend? (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—[(24) and (36)]. Although there is, it must be admitted, no falling off in the number of applicants with the prescribed qualifications, nevertheless I think that we are not securing as good recruits now as formerly, and therefore, I consider that some improvement in the rates of pay and some rearrangement in the grading of the Subordinate Judicial Service is called for. The pay of the lowest grade (Rs. 200) should surely be raised to that allowed (Rs. 250) for the lowest grade of Deputy Magistrates, and I am inclined to think that, in order to secure regularity of promotion, a time-scale should be introduced so as to ensure a salary of, say, Rs. 400 after ten years' approved service. Another recommendation I would make is that Subordinate Judicial officers should be allowed privilege leave on full pay like other officers. It is true that they enjoy an annual vacation; but it is very different from the long vacation enjoyed by officers of the Educational Department. It extends to only one month, which includes the Puja holidays enjoyed by Executive officers, and the loss of full pay is a heavy penalty to pay for the balance.

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* See p. 80, q. 11216 in which this clerical error is corrected.

SIR HERBERT CARNDUFF called and examined.

10774. (*Chairman.*) You are a Judge of the High Court?—I am.

10775. How many years have you occupied your present position?—I have been over four years a Judge of the High Court, and I am in my thirtieth year of service.

10776. How many years of that service have been devoted to the Judicial Branch of the Service, and how many to the Executive?—For four years I was Registrar of the High Court, for ten years I was in the Legislative Department of the Government of India, for over three years I was a District and Sessions Judge, and for four years I have been a High Court Judge. Before that I was a Magistrate in the ordinary course.

10777. Your answers to the questions indicate a leaning on your part towards nomination, but on the whole are in favour of the present system of open competition?—Yes. My feeling is that the proposed nomination now would be almost impossible. Nobody would listen to it.

10778. I also gather from a remark you have made that, even if a system of nomination could be established, it might possibly exclude some of those who were likely to distinguish themselves most conspicuously in the Indian Civil Service?—I think that would be so.

10779. That is a strong argument in favour of maintaining open competition as against nomination?—Yes.

10780. You are opposed to the proposal to hold a simultaneous examination in England and in India?—Yes, I am strongly opposed to that.

10781. You feel that if such an examination were established, there would be no certainty in years to come of ensuring that European element in the Indian administration which you regard as essential? —Yes.

10782. Do you feel that there would be a risk, say, in the next ten years, of an undue proportion of Indians succeeding at such an examination, and thereby upsetting the balance?—Decidedly, in the very near future. I think the Indian is particularly capable in the examination room.

10783. You do not agree with those who take the other view, that it would be generations before they would be able to compete successfully?—By no means.

10784. You are in favour of open competition in England for the Indian Civil Service, supplemented by nomination from the Provincial Service?—Yes.

10785. Do you mean by your answers that you are in favour of the listed post system but that you are not in favour of a system, which would allow the appointments of persons who stand outside the Provincial Civil Service to a quarter of the listed posts?—I think those would be the exceptional cases. The ordinary recruitment should be from the Provincial Service. But in exceptional cases persons could be appointed who are not in the Provincial Service.

10786. And those cases would be very exceptional?—Not necessarily very exceptional, but exceptional, distinctly; probably as time went on less and less exceptional.

10787. Would you be prepared to say that, speaking generally, the time had arrived for transferring to Indian agency more than the present proportion of one-sixth of the higher posts?—No: I should say not.

10788. You think that that proportion is sufficient for to-day, and for years to come?—At the present moment certainly it would be sufficient.

10789. You would reduce the present age-limits for the open competitive examination to 21—23, and thereby extend the period of probation from one year to two years?—Yes. I think that the probation ought to be for two years at home in England, judging mostly by my own experience. My own experience was that in the first year one was just beginning to settle down at Oxford, and the second year was the year in which one really derived most benefit. Besides, I do not see how languages and law can be learnt at all in one year.

10790. Would you be prepared to say, from your own observation, that the men who come out after only one year's probation come out with an inadequate intellectual equipment?—I am afraid I do not feel in a position to express an opinion upon that. I have not seen enough of the recent arrivals to be able to form any opinion.

10791. Do you think that a period of probation in India should be prescribed for a young Civilian before he takes up his active work?—I think he learns his work best by beginning actual work as he does at present. The most important thing is that he should be under a sympathetic Collector who would take the trouble to teach him. If that is secured, then I cannot imagine any better way of training a young Civilian than the present system.

10792. The present system of giving him active work under close supervision?—Under sympathetic supervision.

10793. You recommend the bifurcation of the two branches at the end of the seventh year, do you not?—Yes.

10794. What would be your objections to the bifurcation taking place, either immediately after the competitive examination, or, say, after three or four years of Executive work?—I think that five or six years' training in general administration is most valuable, even to a Judge, afterwards. He obtains a knowledge of the country and the people in those years, which is very valuable to him afterwards.

10795. You do not think he could obtain that general knowlege in less than six or seven years?—I should say five to seven years; I do not wish to put it at exactly seven years; I should put it at not less than five years.

10796. You suggest study-leave, do you not?—Yes, I am in favour of that.

10797. After his study-leave has expired, would you suggest that an officer should take up Judicial work immediately?—Yes.

10798. He should take up the position of a Munsif for a year?—Yes, for more than a year; for a year or two as a Civil Judge. He ought to try original cases as a Munsif or Subordinate Judge.

10799. Do you suggest that during the year of study-leave he should be on full pay?—Not on full pay, but it should count as service. There ought to be liberal allowances, but I would not go the length of saying that there should be full pay.

10800. You would give him a sufficient allowance to enable him to maintain himself?—Yes, and to cover all expenses connected with reading for the Bar and Chambers.

10801. In the course of your answer to question (27) you say that Indians have not filled certain high posts. Do you know of any cases in which an Indian has become due for promotion to those posts, and has not been promoted to them?—Certainly.

10802. Therefore, it is not because Indians have not been available that they have not been appointed?—No, I take it that they have been found not sufficiently good, and have been superseded on various occasions.

10803. In answer to question (39) you say, "I think it is impossible to say that officers of the Provincial Service selected hitherto to fill listed posts have proved on the average as efficient as members of the Indian Civil Service". The reason you hold that opinion is that under the listed post system the Indian reaches such posts too old?—Yes, he has not been given a fair chance in the listed post system on that account.

10804. Do you think that the system is susceptible of material improvement?—I think so. I think it would be possible to select a senior Munsif, and make him an Assistant Sessions Judge, and train him at once for promotion in the future to be a District Judge, and train him as an Assistant Sessions Judge. At present a Subordinate Judge, who is probably over 50 years of age, is appointed a District Judge for the first time. He has had no experience whatever of criminal law and as a Sessions Judge, he is very much at sea. As a District Judge, of course, there is not the same objection, nor the same difficulty; but as a Sessions Judge he is absolutely inexperienced, and he is not a good Sessions Judge.

10805. In dealing with leave pay, in your answer to question (113) you say, "The maximum of £1,000 a year presses very hardly on the senior officers, and ought, I submit, to be removed." How much higher should the maximum be?—I am not sure that I can go the length of saying that it ought always to be half pay; but I should personally be satisfied if the maximum were raised to £1,500 a year. One thousand pounds a year at home now is not really very much for a man who is accustomed to good pay in India, and has to keep up a certain position. In addition to that, account must be taken of the fact that he has to pay for his passage home and back, and that he is supposed to be enjoying himself on leave. I think £1,000 a year is really a very low maximum.

10806. In answer to question (119), on the subject of pensions, you say that, "A Civilian, who retires after an ordinary career of 25 years in the Service, has contributed half of the thousand pounds himself". Is that statement of yours based upon any actuarial calculation?—It is not made by myself; but I have always understood that that is the case, admittedly the case.

10807. It has been submitted to us that the amount of pension represented by the 4 per cent. deduction is a great deal less than £500?—I have not tested that myself. I have always understood that that was the case. I understood that it was fixed actuarially on that basis.

10808. You say,—"I understand that Civilians, when they become Members of Council, are no longer required to contribute towards pension"? Is that a fact?—A Member of Council has told me so.

10809. In reply to question (137) you say, that "Membership of the Governor-General's Council should be a bar to further employment in India and should never lead to a Lieutenant-Governorship". Why have you come to that opinion?—There is a general feeling, I think, that they would be more independent, if they had nothing further to look forward to in India.

10810. So you would reverse the usual order and let officers be Lieutenant-Governors first?—Yes.

10811. Would you leave it open to Lieutenant-Governors to become Members of Council?—I see no objection to an officer being a Lieutenant-Governor first, and then a Member of Council; because a Member of Council is part of the Government of India, he is really in a higher position than a Lieutenant-Governor.

10812. What is the objection to a Member of Council becoming a Lieutenant-Governor?—He is supposed to be a less independent member of the Government of India, more anxious to please than he otherwise might be. That is the feeling in the Service, and I share it.

10813. (*Sir Murray Hammick.*) In answer to question (13), you say, "Subject to the suggestions I have to make for the better training of officers electing or chosen to serve in the Judicial Branch, I would recommend no separate recruitment for it." I suppose you have not read the evidence given before the Commission by

Sir Arnold White, the Chief Justice of Madras, with reference to Civilian Judges in the High Court. I should like to ask you whether you are of his opinion. He said, "I do not desire to see any amendment of the High Court Act as regards the proportion of Civilian Judges. A large amount of administrative work is done by the Judges of the High Court. There are branches of this work which can be done more satisfactorily by Civilian Judges with their practical experience and knowledge at first hand acquired as District Judges and in other capacities, than by Judges appointed from the Bar. There have been Civilian Judges in no way inferior in their knowledge of the law to Judges appointed on the strength of their legal attainments. But even when a Civilian Judge is not, and does not profess to be, a learned lawyer, his knowledge, experience and training, both outside the law and as a District and Sessions Judge, would make him a very useful member of an appellate tribunal in this country. The Civil element, which the Civilian Judges supply, is to my mind of great value in the general administration of justice by the supreme appellate tribunal so far as this country is concerned. A Civilian Judge, as a rule, finds no difficulty in working with a Judge who has been a professional lawyer, and the professional lawyer finds no difficulty in working with the Civilian Judge. Each may have his special point of view, each his special qualities, and probably the defects thereof. The habit of mind may be different, but, where a 'Bench' is constituted of a Civilian and a non-Civilian Judge, the joint out-turn is, I believe, often more satisfactory than when both Judges are of the same class. I have gone beyond the scope of the question, but I thought it desirable to place my views on this matter on record." Do you agree with those remarks of Sir Arnold White?—Yes, I should think they are sound and practical.

10814. Referring to your answers to questions (15) and (16), with regard to the age of Civilians coming out at 23, one suggestion which has been made is that it might be better if the universities at home would admit a passed candidate at the open competitive examination to take the course for a law degree, the examination for that degree being slightly modified to meet Indian conditions by adding to it a certain amount of Indian law, whether it would not be better to fix the age of examination at, say, 17 to 19 and compel all the successful competitors to go regularly through the university course, taking the degree of law at the end, and come out to India, say, at the age of 23: the one advantage of that system being that the Civilian would arrive at 23 instead of 25, which is considered by some to be somewhat late. Do you think such an arrangement would be possible and advantageous?—I think it would be advantageous; but I am not in a position to say whether it would be possible or not.

10815. You think that would be a good suggestion if it could be carried out?—Yes, I think so.

10816. In answer to question (25), I understand that you are entirely against any revival of the Statutory Service?—Yes.

10817. Your whole proposal seems to amount to an increase in the number of listed appointments, and the appointment of men to those appointments at an earlier age than is now the case?—Yes.

10818. Have you considered at all whether it would be possible to form a separate Service consisting of a certain proportion of appointments which now go to the Indian Civil Service, together with the listed appointments, and passing a certain number of Indians into that Service by competition, and preserving a certain proportion for promotion from the Provincial Civil Service, and making it a separate Service for Indians?—My objection to that would be that it would be a separate Service, and that it would not have the same status as the Indian Civil Service.

10819. That is what I wanted to get from you. You think it would be possible as regards such Service as that, that even if they were given the same pay, and put in parallel lines with the Indian Civil Service list,—even with that you think that the Service would always bear the disadvantage of being more or less an inferior Service?—Yes, I think so.

10820. That is to say the Service would not bear, in relation to the Provincial Service, the superior reputation which it ought to do?—No, it would not.

10821. Do you think it would be open to grave objections from that point of view?—I think so. Even if you had simultaneous examinations, I think the Indians appointed in India would not have the same position, or be accorded the same position, as the Indians who passed in England.

10822. You also think that any course of that sort would tend to lower the Provincial Civil Service?—Undoubtedly, that would be another objection: it would lower the Provincial Service. It would be a third-rate Service instead of a second-rate Service, one might say.

10823. In answer to question (39) you say, "I think it impossible to say that officers of the Provincial Services selected hitherto to fill the listed posts have proved, on the average, as efficient as members of the Indian Civil Service." We received at Madras, as regards the Judicial Service, a great deal of evidence to say that for the first few years of the career of an Indian Civil Service officer as a Judge, owing to his want of training, the Civil part of his work was distinctly inferior to the work done by a promoted Provincial Service officer. Is that your experience too?—Yes, I agree.

10824. On the whole, you think that after the Civil Service officer has got a certain experience of his work, he does his work at all events as well as the Provincial Service officer?—Yes.

10825. Can you tell me, in an ordinary Bengal district, how many courts the District Judge has under him; how many Munsifs and Subordinate Judges?—To take my last district: I was in Patna, and there were three Subordinate Judges and five Munsifs subordinate to me when I was District Judge.

10826. I suppose there was a great deal of work which fell to you which was not of a judicial character, but which was more or less of an administrative character?—Yes.

10827. You appointed the clerks to higher posts; it was done under your sanction?—Their promotion was in the hands of the District Judge.

10828. I suppose you had to report to the High Court any cases of misconduct, if any such occurred, amongst any in this subordinate establishment?—Yes.

10829. And probably you had confidential reports upon the work of your Subordinate Judges and Munsifs?—All of them, yes; and I had to inspect.

10830. You also had to inspect the Courts?—Yes.

10831. In answer to question (67) you say, "the Bar of India is becoming stronger every year," but is it not a fact that English barristers are decreasing rapidly; is that not so?—Yes.

10832. In Bengal as elsewhere?—Yes.

10833. Mr. Sinha yesterday in his examination before us said that he did not recommend sending Judges home at all for training, and that he considered that what was necessary was practical training rather than any theoretical study of law, and he proposed that District Judges who required training to discharge their work should be attached to the High Court for a year; and that the Chief Judge should make arrangements for them in the Courts, and they should discharge the work of a Munsif for about two years, and then work as a Subordinate Judge for two years, but that they should not be allowed to go home or given any privileges in the way of reading for the Bar. Do you agree with that view of Mr. Sinha's?—No, not at all. I think the great thing is to be in touch in England with the English Bar, and in touch with its traditions and with the whole atmosphere of the English Bar.

10834. In answer to a question which was put to him he seemed to think that probably a large proportion of the Judges who went home to read would take advantage of being at home, and not honestly carry out the duties of reading in order to improve themselves?—I should be very sorry to think that that would be the case. I do not think that that would be the case. I think, as I have said somewhere in my evidence, that a Civilian of seven or eight years' standing would take it very seriously.

10835. (*Sir Valentine Chirol.*) You said in reply to the Chairman that you thought the time had not arrived for increasing the proportion of Indians in the Civil Service beyond the proportion, which I think you mentioned, of one-sixth?—Yes.

10836. Would you give us, a little more fully, your reasons for thinking that the time has not yet arrived?—My real reason is that at the present time there is a good deal of unrest in India, and the difficulties of administration are very great; and I think that the European element is no larger than it ought to be at the present moment.

10837. That is a new consideration which has arisen since the last Commission?—Yes, since 1887.

10838. You think it is one which it is essential should be taken into account in this connection?—I think so.

10839. Do you attach special importance to the fixing of the definite proportion?—No, I do not attempt that.

10840. In answer to question (67) you say, "I am not prepared to admit that the only training for the Bench is practice at the Bar; for although that is so under the English system, the English system is, I believe, the exception rather than the rule"?—Yes.

10841. Is it not a fact that in all the chief European countries the Bench is not recruited from the Bar?—I believe so.

10842. What is called the "Magistrature" in France is an entirely different career?—Yes: I understand so.

19843. And also in Germany?—I believe so, and also in Italy.

10844. (*Mr. Abdur Rahim.*) Will you kindly give me your opinion with regard to the Calcutta Bar? Do you consider it is an efficient Bar?—Certainly.

10845. Has it the reputation of being a very strong Bar?—Yes, it is a very strong Bar.

10846. I should like to know what your view is as regards the Bar being a good training ground for Judges?—It is a good training ground for Judges, but it is not the only training ground for Judges.

10847. I will come to that; you think it is a good training ground?—Yes, certainly; I think it is a good training ground. I could not say that it was not. May I go back for one moment? You asked me if the Calcutta Bar was a very strong Bar, and I said that it was. I should like to add that I do not think that the standard of the Calcutta Bar is as high as it used to be.

10848. It is not as high as it ought to be?—I said, "as it used to be"; and, therefore, as it ought to be.

10849. You mean that the English-born barristers have mostly disappeared?—It comes to that.

10850. But as far as the Indians are concerned, do you not think that the Calcutta Bar is stronger than it used to be as a body?—It is numerically stronger, but I should not think it is otherwise stronger, or as strong. I will not say "or as strong". I could not say it is stronger. Of course you must remember that I have been in the Calcutta High Court for four years as a Judge, and formerly as Registrar. I cannot go further back than 1890, so that it is perhaps useless for me to say that the Calcutta Bar is better to-day than it was in 1870.

10851. What I want to get at is this: is it your opinion that there is no doubt that it is an efficient Bar?—Certainly.

10852. Mr. Sinha told us yesterday that he could name twelve gentlemen from among the barristers who were fit to hold the posts of District and Sessions Judges. Do you agree with that opinion?—Yes, I think I must agree with that opinion.

10853. And he also told us that, from among the vakils, he could also supply as many men fit to fill those places?—Yes, they would be fit to perform the functions of District and Sessions Judges.

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10854. Supposing you take the case of Bengal. Why do you say that the Judicial Service is a necessity? I do not know that you want to exclude Bengal, because you say, "I believe that the Judicial Service in India is a necessity"?—Yes.

10855. If you could get good men from the Bar, why do you say that the Judicial Service in India is a necessity?—Take the question of leave vacancies. It is very inconvenient to appoint a barrister to fill a leave vacancy. That is one reason.

10856. You could have a reserve. You know in England they do not appoint officiating Judges?—They do not appoint officiating Judges at all.

10857. They work it fairly well with their system?—There is very little leave taken at home for one thing. Leave here is a necessity, a constant necessity. The home Judges very seldom take leave. They work for years and years without leave.

10858. If you have a sufficient reserve, do you not think that leave might be minimised, at any rate?—There would have to be a very large reserve, and an expensive reserve.

10859. Apart from manning the whole Judicial Service from the Bar, is there any objection, in your opinion, to appointing a certain number of men from the Bar direct to District Judgeships?—No, I think that might be done as an exceptional appointment; among exceptional appointments to which I have already referred.

10860. Why exceptional?—Because, in my opinion, you get a better Judge from the Civil Service if you improve it in the way I have suggested.

10861. That has not been attempted, so that it is mere speculation. The scheme you are proposing has not been tried yet, has it?—No, it has not.

10862. So that it is rather difficult to compare with what would be the result if you made appointments direct from the Bar?—Even without the improvements now suggested, Civilians have made, I submit, good Judges.

10863. I do not deny that for a moment,—that there have been distinguished Judges amongst Civilians. I do not wish to suggest anything to the contrary, and I should be very sorry to suggest anything like that. What I mean is this: you have material here at the Bar, very good material to select from, for more District Judges, whatever the number may be?—I think the material is not as good as the material supplied by the Civil Service.

10864. I take it that in your opinion open competitive examination, like that of the Civil Service, is a better qualification for a Judge than practice at the Bar?—I do not quite know how to answer that question. The competition is at the very beginning, is it not?

10865 Yes. Then you give him a certain training?—Yes. It is what I have already said; the Civil Service supplies better material than the Bar.

10266. You mean the educational qualifications of the Civilians are better?—Yes, I should think on an average that they are.

10867 "On an average"?—Generally speaking I should think that they are better.

10868. At the Bar also there are many men who have taken good degrees, are there not?—Yes.

10869. Do you think that the principle is all right—that you give a Judge experience of his work by asking him to try cases? Do you think that is right in principle?—No, I do not; I have said that it is not.

10870. But under your scheme that would be the practical result as far as, at any rate, the Civil Judicial work is concerned, would it not?—No.

10871. What experience would he have of actual work under your scheme?—He would go home. He would spend three years at home, in learning law and reading in Chambers. He would come out, and he would begin with the very simplest cases.

10872. That is practically studying law and seeing practice in Chambers?—And seeing practice in Chambers. I lay great stress upon the necessity of reading in Chambers.

10873. But you know that the practice in Chambers is very different from practice in court?—Yes.

10874. Practice in Chambers generally consists in advising, drafting, etc.?—But the Law Courts would be frequented, surely!

10875. But that would be merely observing how work is done; it is not practical experience, such as conducting cases?—It is inferior to that, no doubt.

10876. Is there any other objection to appointments being made direct from the Bar besides what you have said about the Civil Service supplying better material?—No; I do not think I can give another reason, or a stronger one.

10877. Is there any political reason, or anything of that sort in your mind?—No.

10878. As far as the appointments to judgeships are concerned, there is no reason?—No.

10879. Or administrative reasons?—No. I might say this perhaps: If you take away all the judicial appointments, you lower the attractions of the Civil Service, and that might lower the standard of the Service.

10880. Within the last 27 years, since the Report of the last Public Service Commission, education has advanced a good deal in India?—Yes; I am of opinion that it has advanced greatly.

10881. As far as that is concerned, then, the Indians have become more qualified for higher appointments so far as education is concerned?—Yes, that must be conceded.

10882. Your main objection would be unrest?—That is my objection at the present moment.

10883. You do not mean that that has affected Indians in the Service; you do not mean that?—No.

10884. What you say is that Englishmen would be able to deal with the situation better than Indians in such times?—Yes, I think so.

10885. But is not unrest now practically a thing of the past?—I will not say that. I should think it is not.

10886. I suppose you know that in Bengal many Indians in Government Service have sacrificed their lives in order to resist this unrest?—Yes.

10887. In your experience have you found that any Indians have not been able to cope with the unrest as far as anybody could?—No, because I have not been in a district for five years, so that I have not been in actual touch with unrest.

10888. So that you are not speaking from experience when you said that Europeans would be in a better position to deal with the unrest; you are simply putting it upon hypothetical grounds, I suppose?—That is my opinion simply.

10889. Let me remind you of one thing. There is a district very close here which was under an Indian Magistrate for a long time during the period of unrest, and it was noticed that in his district there had been no outbreaks of that kind?—I know nothing of that: it may be so, no doubt.

10890. I should like to know something about the District Munsifs and Subordinate Judges in Bengal. I understand from your answer that it is not the High Court, but Government which appoints the District Munsifs in this Presidency. Is that so?—Theoretically it is the Government, that is to say Government has the power under the Act; but it must be upon the nomination of the High Court.

10891. The practice in Madras is that the Munsif is appointed by the High Court direct?—That is not so in Bengal.

10892. I believe that practice in Madras has prevailed a very long time?—In effect it is the same thing in Bengal. There must be the nomination of the High Court, and the Government appoints the High Court nominees.

10893. What is the average age of a Munsif when he is first appointed?—He must be enrolled not later than at the age of 27, and he must get his first appointment before he is 29.

10894. He officiates for two years?—Not continuously; from time to time in acting vacancies.

10895. I have heard some complaints made that they are made to officiate for a very short time or for a very long period. It is very injurious to their practice at the Bar, is it not, and it is a loss to them?—That is so.

10896. It is so in fact, is it not?—Yes, I believe so. Any practice they may have had disappears.

10897. It would not be possible for them to have any practice during the period they are officiating?—I should think not. The competition is so great.

10898. Have any steps been taken to remedy that state of things?—No; that has been the only system I know of. No steps have been taken to remedy it. I think myself there ought to be a probationary allowance, a retainer, so to speak, given to these officiating Munsifs.

10899. In Madras, they do not officiate more than about a year, I think; and they generally officiate for a fairly long time: they seldom come back to the Bar?—That is not the case in Bengal.

10900. Is there much complaint regarding the pay and grading of Munsifs and Subordinate Judges?—Yes, a great deal.

10901. Has the High Court taken any steps to remedy that?—Yes, they have made recommendations.

10902. Rupees 200 is the initial pay, is it not?—Yes; a Deputy Magistrate's pay is Rs. 250.

10903. Has any step been taken to raise the initial pay?—It has been recommended.

10904. Have you heard any complaints as regards confidential reports?—I have had some complaints made to me personally. Yes; I think there must always be complaints as regards confidential reports.

10905. But it is suggested that they ought to know what is being said against them. I do not know that that is feasible?—I think it is not feasible.

10906. I see in one place you compare the pension of the Civil Service with the pension of the Chief Judge in the Small Cause Court here?—Yes.

10907. I think you know that that is quite the exception, a pension of that sort?—I can give you another at once.

10908. Which is that?—The Legislative Secretary to the Government of India, when he is a barrister, is on exactly the same footing.

10909. But in the Bengal Government that is the only one appointment which carries such a pension, is it not?—I cannot think of another in Bengal.

10910. (*Mr. Madge.*) Although you approve of the present competitive system in the main, certain later answers of yours suggest improvements; but a large element in your improvement is that officers are imbued with a certain character which is acquired through being trained in India under English officers, and under the English system of administration, jointly?—Yes.

10911. I take it that you have had in mind some contrast between Indian and European or British officers?—Yes.

10912. Would any objection which you may have to the competitive system apply to men going home straight from Australia or from Canada, who had not only a British heredity, but as far as possible a bringing up in a British atmosphere?—I have not quite got the point of your question.

10913. I take it that any comparison that may have existed in your mind in making these suggestions was as between Englishmen and Indians?—Yes.

10914. Would any objection that you may have to the competitive system in which you suggest improvements yourself, apply to men from the Colonies, Australia, for instance, or Canada, where men have not only a British heredity, but have been brought up in practically a British atmosphere?—I do not know anything of Canada or Australia; but assuming the conditions there are the same as in England, of course the same objection would not apply.

10915. Do you think that it is absolutely impossible that a domiciled European, having the British heredity, and brought up in India, say, under the most favourable conditions in a first-class school in the hills, would not be held to have reverted to the British type of character?—I should think not, ordinarily.

10916. You should think that he would not, or you would assume that he had?—I think the same objection would apply to him.

10917. May I ask why?—Because he would not be brought up in the surroundings I have suggested, which seem to be necessary.

10918. You think that his British heredity and training in a first-class school in this country, say, in the hills, away from all objectionable local influences, would not in some measure, or in any measure, compensate?—In some measure it would. My reason would not have the same force in a case of that kind certainly.

10919. You have had some acquaintance of subordinates of pure European or mixed descent in this country?—Yes.

10920. On the whole, do you think that they have done well or ill?—I have had experience of them only in subordinate positions, and in those subordinate positions many of them have done exceedingly well.

10921. You have heard, have you not, of others having risen to posts, I may say, of eminence?—Exceptional cases, I think.

10922. Do you call them "exceptional cases" in a general way, or with reference to the total number of the population, and the total number of successful men who have risen to great posts?—Very few of them have risen to great posts.

10923. You are acquainted with, or have heard of, a very few, is that it?—Yes.

10924. You have a leaning towards nomination, but in your opinion it is attended with certain dangers; but you have also referred to the case of officers who select cadets for the Navy. Do you think it is impossible, with sufficient care, to have the same kind of body in which the nominations would meet your objections?—I doubt its being practicable.

10925. Your opinion that the competitive system is not perfect seems very general, and I should imagine on all hands that there must be a desire to make it as perfect as possible, and suggestions have been offered to the Commission that means might be suggested to very much improve it. You do not think that is possible?—The only way in which it might be improved is by combining nomination. As far as I can see, I doubt the practicability of applying the system, which is in force in connection with the Navy, to the Indian Civil Service.

10926. You refer to nomination now; you merely refer to it; but you do not think it is possible to have a combination?—No, I think not, on the whole.

10927. I have quite clearly understood from what you have said that the value of a civilian's experience in the early years of his service is very great, and it is in the combination of that experience with legal training that the highest possible perfection is reached?—Yes, I think so.

10928. As regards the age-limit, to which you refer in your answer to question (15), it has been stated before the Commission with reference either to a probationary experience at the beginning of one's career, or later in life, that the earlier a man comes under British influence the better; whereas other witnesses have suggested that later in life, when a man's character i formed, and he is better able to observe an absorb what he thinks good, would be better Which do you think is preferable?—The forme view. The earlier they are brought unde British influence the better.

10929. In your answer to question (20) you say, "Practically *every* Civilian at ever stage of his career is immediately concerned wit the administration of law"; not only, as you have said already, is it very useful to him, but in the administration of Indian Law and amongs Indian people and in Indian surroundings, h acquires an experience which is far more valuabl than any abstract training in British or any other law?—Yes.

10930. Do you think that the law of any other country, Indian or English, to a certain extent reflects the atmosphere of that country, and in that respect the study of British law would be much less useful to a man living and working in this country than the study of Indian law; I do not mean as regards the mere technical processes of the law, but as regards the spirit of the law and what it reflects?—Would you repeat your question? I am not quite sure that I understand you.

10931. The laws of any other country reflect more or less the atmosphere of that country?—Yes.

10932. Do you think that the study o Indian law and the practice of Indian law i better for a Civilian than the mere study o English law?—No; I should think that the study of English law is better for a Civilian than a study of Indian law.

10933. Is that because, as regards the technique of law, the British law has arrived at a higher standard?—I think you indicated the reason at the beginning of the question,—that the law reflects the character of the country.

10934. You object to simultaneous examinations? Do you think that if such examinations were introduced into England they would indirectly re-act upon the character of education? —Yes, I think the standard very probably would be lowered.

10935. Because universities and schools and colleges, and all that, would be training up for this thing and neglecting general education: is that one of your reasons?—No. I meant that the education out here is not as high as the education at home, and the tendency would be for the standard to fall to meet the standard of India.

10936 But do you, or do you not, think that education at home is generally better than education in this country, because of recent years there has been a great tendency here to study for examination passes rather than to secure general education?—Do you mean that has been the tendency at home of late?

10937. No. More here than at home. To a certain extent no doubt wherever prizes are offered in competitive examination, it will re-act on education?—I think the system of cramming will almost certainly rise up.

10938. And in that respect re-act upon education generally?—Probably it would.

10939. In answer to question (27) you say, "Judging by actual results so far, I think that the reply must be in the negative. It apparently has not been found possible to appoint Indian members of the Indian Civil Service ordinarily to the higher Executive posts, such as Commissionerships, Memberships of the Board of Revenue and Secretaryships." To some of those appointments Indians have already been raised to acting appointments, but not to permanent ones: is not that so?—In a few instances.

10940. What is your frank opinion of the reasons of the Government? Is it not probable that they did so because, however worthy these officers may be, and however capable they might be in performing other duties, the Government thought these might be better fulfilled by Englishmen?—In some cases no doubt—say in the case of a Commissioner of a Division—it might be undesirable. The Government might think that it was better to have an English officer, and that might influence them in passing over an Indian; but in the case of a secretaryship, I do not see any reason why an Indian should not be appointed if he was qualified; or in the case of the High Court or the Legal Remembrancerships. I see no reason why an Indian member of the Civil Service should be passed over except for the reason that he is considered not as good as his juniors who are Englishmen.

10941. If there is any grievance on this point, you think it arises from a misapprehension?—Yes, I should say so.

10942. You strongly object to the Statutory Civilian?—I believe he has not been a success.

10943. You do not think that it may not have succeeded because the wrong men were chosen, and that it was not rightly applied?—That may be so, of course.

10944. As regards the pay of officers of all grades, considering the rise in prices, would you be disposed to approve of a *pro rata* increase all round in all salaries?—I would approve of it.

10945. The financial cost would be heavy, but it is something to secure content in an officer, and all that class of facts: do you think it would be a right thing to do under present conditions?—Yes, if it could be done. Undoubtedly the cost of living has risen enormously, and salaries do not represent what they used to represent all round.

10946. You think that no workable scheme for the recruitment of District and Sessions Judges from the Indian Bar is feasible; and that as regards legal experience it would be still less feasible in the case of recruiting home barristers who have had no experience whatever?—Yes.

10947. (*Mr. Macdonald.*) I think you said that the sole reason why you are not in favour of increasing the Indian section of the Indian Civil Service cadre now is the existing unrest?—Yes, I cannot give any other reason at present.

10948. But unrest, or no unrest, do you agree that the demand for increased posts for Indians will go on?—Yes.

10949. The demand for simultaneous examinations has not slackened?—I believe not.

10950. The Indian National Congress, for instance, the other day passed the same resolution?—Yes,—as it passed 20 years ago.

10951. And the educated Indian is repeating his demands, as is shewn by our evidence?—Yes.

10952. You do not suggest, do you, that the unrest will be removed by refusing to grant that demand?—I say that the number of posts thrown open to Indians will be increased in time, but not at the present moment: I would not increase them now.

10953. By refusing to grant that demand for simultaneous examination, you are not going to improve the present political conditions in Bengal, are you?—Do you mean that you will not remove the discontent?

10954. You will not remove the discontent?—I suppose not.

10955. Then it comes back, does it not, to the question of the efficiency of the cadre to deal with unrest?—Yes.

10956. Is it your idea that the individual Indian officer finds more difficulty in dealing with unrest than the European officer?—I think so.

10957. And so far as the Commission is concerned, in order that it might make up its mind upon that point, I suppose your advice is that we should go into the records of the Service? We will have to go into details, and not take a general statement like that?—You think it is necessary to say personally that I consider such and such an officer——

10958. No. I do not want you to say that. I want to prevent you from saying that. As far as we are concerned ourselves, the only way that we can make up our minds is to go into the question of officers' records. I should like you to help me if you can. Is there any other way than that for us to find out whether the opinion which you have just expressed is a sound one or not?—It is a matter of opinion entirely, is it not? You will be guided, probably, to some extent, by the opinions which are expressed before you.

10959. But in order that we may test these rival opinions, we have you, with your great authority, coming forward and expressing an opinion upon this matter, which weighs very much with us; and then we have somebody else with authority coming forward and expressing the exact opposite. I do not want you to go into details, quite the opposite; but I put it to you that the accuracy or otherwise of your own opinion, and of the other opinion I have assumed, can only be tested by us as a Commission upon the record of individual officers. Put it in this way: Supposing we find an Indian officer has been placed in a district where there has been a good deal of unrest, and he has governed that district very well. We would have to come to certain conclusions upon that, would we not?—Yes, you would.

10960. If, on the other hand, he was put into a peaceful district, and that district burst out into unrest owing to his action, we should have to come to a conclusion from that?—Yes.

10961. But that is the only class of fact upon which we can come to a reasonable conclusion?—It is very difficult to answer that question. I do not like to say that that is the only way. I have seen Indian officers and English officers in similar tight places, and I have always thought that the English officer showed greater firmness and promptitude in dealing with them than the Indian officer.

10962. I will not press you further upon that point. Your view, then, of the examinations being held in England alone is that it makes it difficult for the Indian section of the Indian Civil Service cadre to increase itself?—The result, no doubt, is that.

10963. And it is because that is the result that you stand by, is it not, the view in the answers you have given with reference to unrest?—Simply because it keeps Indians out?

10964. Because it does not alter the 17 per cent.?—That is not the way I put it, of course.

10965. I do not want to put it in any way you disagree with. I want to get fairly at the root of the matter. In your written evidence you state that Indians have 17 per cent. of the places now?—Yes.

10966. And you further state that an increase is undesirable in view of certain circumstances?—If you had simultaneous examinations there would be an immediate increase in the number of Indians.

10967. And one of the reasons why you are not in favour of simultaneous examinations is because you do not want an increase?—I do not want an increase because the Indian has not got the qualifications I have mentioned.

10968. Quite. I put it to you that one of the values of the examination being held in England, to one holding your views, is that it makes it difficult for an Indian to get into the Service?—It makes it difficult for the wrong kind of person to get into the Service.

10969. Would you object to an immediate increase of the 17 per cent. if you got the right sort of person; or is there a right sort of person in the present circumstances?—I would not object to an increase if you could get the right sort of person.

10970. You do not think that the European section of the Service can be properly protected by a statutory minimum? I did not quite catch your answer to that, and I am afraid I am repeating a question which was put to you?—I said I would not fix any minimum; I would not attempt to fix a minimum.

10971. You would leave it to the chance of the examination?—There must be a minimum.

10972. That is what I want to know?—As long as the English govern India, there must be a majority of officers in high appointments who are Englishmen.

10973. How would you secure that except by fixing the minimum?—I would not attempt to fix it once for all time.

10974. No; that is not the proposal at all. The proposal is, if I might say so—at least the suggestion has been made to us—that you might fix from time to time a minimum for a certain period, and then let it be revised as occasion necessitates. Would you see any objection to that?—I am rather against fixing any hard-and-fast minimum at all.

10975. But supposing we find that the Service got unpopular at home (we have had evidence that it is getting unpopular at home) and supposing in consequence of that the proportion of Indians entering the Service got very much larger than it is now, would you not be driven to fixing the minimum?—You would be driven to doing something to increase the number of Englishmen joining the Service, I think.

10976. But you would not be prepared to do anything of that kind now?—I would not draw a line and say that the moment more than a certain proportion of appointments are filled by Indians we must do something. I would not attempt that.

10977. You would not allot a certain proportion of the vacancies during any one year to be filled by examination in England, and another proportion by examination in India?—No.

10978. You would not accept that as a substitute for simultaneous examination?—No.

10979. Do you think it would be a better or worse proposal than simultaneous examination?—I think it would be a better proposal than simultaneous examination.

10980. In answer to question (27), I see you say, "Judging by actual results so far, I think that the reply must be in the negative". What do you mean by "actual results"? Are they results recorded in the list of the Civil Service?—You will find them from the Civil Service List. I am going on my own time in India. I can count on my fingers the number of Indians who have been appointed Commissioners, or Members of the Board, or Secretaries to Government. I think very few of them have, and in most cases, they have been superseded.

10981. Have a considerable number of Indians been actually available on grounds of seniority for these appointments?—Yes.

10982. And they have been passed over?—Yes, they have been passed over by their juniors.

10983. To some of those appointments, for instance, the Calcutta High Court to which you made reference, Indians have been appointed as acting officers?—I remember only one in my time.

10984. You do not remember two. You do not remember, for instance, the appointment of two as Legal Remembrancers?—You said to "the Calcutta High Court"?

10985. Yes, but I thought you had passed that?—I remember only one. I think Mr. Sen, who is sitting next to you, will put me right, if necessary. There is only one, I think, who has been appointed to officiate, and no one has been appointed permanently.

10986. Have you any recollection of the criticisms passed in the Anglo-Indian Press as to the way in which Indians had been passed over?—I have seen the criticisms; very few, I think. My own feeling is that it was usually recognized that they were rightly passed over.

10987. Do you remember the criticisms passed by the *Pioneer* regarding a gentleman who is now out of the Service, Mr. De, who was passed over?—No; I do not remember.

10988. He was passed over for a Commissionership?—I think so.

10989. He was an acting Commissioner?—Yes.

10990. He was not confirmed?—Never confirmed.

10991. You have no recollection of what is called the "De" case?—I do not remember. I think I must have been on leave at the time it happened.

10992. May I ask you to tell the Commission about your own experience in England? Perhaps, I will take you through it in two or three questions. In your answer to question (64) to (67), you give an interesting scheme about legal training. I believe you went to England in order to complete your legal studies, if I am rightly informed?—Yes, I was called to the Bar.

10993. After you were in service?—Yes.

10994. You took furlough?—Yes.

10995. You went at your own expense?—Yes.

10996. You read law?—Yes.

10997. You did not read in Chambers?—No.

10998. And you were called to the Bar?—Yes.

10999. Without any assistance at all from the Government?—Yes.

11000. You got first class at the Bar Final?—I did.

11001. Had it not been for the misfortune of age, you would have had the £300 prize?—Yes.

11002. This was during your furlough at your own expense and on your own initiative?—Yes.

11003. (*Mr. Sly.*) You say, in your answer to question (27), that Indians have not, as a matter of fact, been appointed to certain posts. Do you remember, that, during your service, one was appointed to the Board of Revenue?—One, yes.

11004. Two have been appointed Divisional Commissioners for considerable periods, leaving out two cases of short acting appointments?—Yes, I remember two.

11005. The Commissioner of Excise, one of the most important heads of departments, has, I believe, been practically filled by an Indian, almost continuously, during the past ten years?—I am afraid that I personally cannot say.

11006. Then the Inspector-General of Registration is another head of a Department?—Yes.

11007. Of an important nature?—Yes.

11008. Has not that been practically filled by an Indian for many years continuously?—Yes, for many years.

11009. Then the Accountant-General with the Government of India; has not that been filled by a Bengali Indian for a considerable number of years?—Yes, I remember his name.

11010. Then in your own line, was not the post of Legal Remembrancer filled for some years by an Indian?—Yes, I mentioned this; have I not? Two have risen to be Legal Remembrancer; one in Bengal and the other in Bihar.

11011. For a long period?—Yes.

11012. As a matter of fact, it comes to over six years?—Yes; Mr. B. L. Gupta.

11013. Taking another appointment, the Registrar of Co-operative Credit Societies, has not that been wholly filled by an Indian?—It is filled by an Indian at present I know.

11014. Since 1909, it has been filled by an Indian, I think?—I believe that is so.

11015. Having got all these cases before you, why have you expressed this opinion that they have not been tried in these posts and said "judging by actual results so far, I think that the reply must be in the negative"?—Because there are many other cases in which they have been passed over.

11016. Let us take the cases in which they have been passed over. Is it not, as a matter of fact, that most of the Indians passed over were Statutory Civilians recruited under special conditions which have been admitted to be a failure?—They certainly have all been passed over.

11017. That accounts for a great many being passed over; that is what was in your mind?—No, I was not thinking of them. I was thinking of the members of the Indian Civil Service.

11018. Now coming to the members of the Indian Civil Service, is it not the case that a great many of those who, you say, have been passed over, are the members of the Judicial Branch of the Indian Civil Service?—I am more familiar with the Judicial Branch. Probably it is so.

11019. Then is it not the case that a great many of the European members of the Indian Civil Service have been passed over for these appointments?—Passed over by better men, I presume, for the same reason as Indians.

11020. Therefore, having regard to these facts, are you still prepared to adhere to the opinion that, taking all these matters into consideration, the Indians have been passed over to a much greater extent than the European members in the Service?—I cannot say.

11021. Now, I come to another point. In your answer to question (13), you have given an opinion against separate recruitment for the Judicial Branch of the Service. A scheme has been proposed before the Commission in which it is suggested that the Judicial Branch of the Indian Civil Service should be abolished, and that there should be substituted a separate service directly recruited by selection, first, partly from the Indian Bar in India, secondly, partly in England, preferably from the English Bar but not exclusively, and, thirdly, by promotion of good officers from the Provincial Service. The proportion in which these three classes would be recruited is a matter for consideration, which has not been given us in detail in the scheme laid before us. But so far as the Indian members of the Bar recruited in India and those recruited in England are concerned, it has been suggested that both of them should be trained in the first place in the work of subordinate courts in India. From your experience of the judicial conditions in India, I should like you to give us your opinion, if you can, on such a scheme.—Well, I have already said that I do not think that the result would be anything like having as efficient Judges as under even the existing system unimproved. I think that the existing system, if improved, ought to turn out as good Judges as you can want.

11022. It has been suggested that the long course of training necessary for improving the Judicial Branch of the Indian Civil Service entails a good deal of expense on the country. The number of years of training that an officer undergoes under your scheme or the scheme which has been put before us is considerable? Would it be very considerable?—I do not think so.

11023. Two years' probation in England and again two year's training in India?—During the period of training in India they would be doing work.

11024. During the service of two years in India, he is not doing work but is under training?—I think he does work from the very beginning. He did it in my time.

11025. Then, you have to add on to that the period of study-leave in England?—One year.

11026. *Plus* a certain amount of training in subordinate judicial courts?—Yes; but it would not be absolutely unremunerative work. He would try cases; he would dispose of small causes, and he would do some work all the time.

11027. I want your opinion. You do not consider that is a strong objection to the scheme?—I should have thought that the expense would not by any means be so great as to be any difficulty at all.

11028. Then another objection, I think you stated just now, is that it would reduce the attractions of the Indian Civil Service and so far damage the general government of the country?—Damage the recruitment and the government of the country.

11029. Have you got any views in regard to the result of such a scheme on the separation of the judicial and the executive functions—the differentiation of the Service from the very start recruited by different methods—as to what effect that would have upon the Government of the country?—Well, if you mean an absolute cleavage of the Service into two separate Services altogether, then, instead of having a large Service all working more or less together for the good of the country, you would have two separate Services, almost certain to be more or less antagonistic. As it is, there is every now and again friction between Judicial officers and Executive officers. If you had the Services separated like this, I think they would be in opposite camps altogether.

11030. Does any other objection to that scheme occur to you?—I doubt if you would get a high-class lawyer—certainly not at home, I doubt if you would get him even in India—to accept a District Judgeship.

11031. Do you think that a barrister at home with a certain amount of practice at the Bar would be likely to come out under such a scheme to India?—Quite the reverse. Most unlikely.

11032. Then the recruitment would practically have to be made, so far as Englishmen are concerned, from barristers who had just taken their course?—That would be so.

11033. Do you think that such men would be any cheaper or make any better Judges than the men whom we recruit through the open competitive examination for the Indian Civil Service?—I do not see how they could be cheaper. I do not think they would be anything like so good.

11033A. In your answer to question (16), you have dealt with the age-limits, and suggested that the maximum age should be reduced to 23 years. Supposing you find that, as a matter of fact, that age cuts across the "Greats" course of the University, would you still adhere to that maximum?—No; I would raise it.

11034. Then you have recommended very strongly a system of probation in England including attendance at English law courts?—Yes.

11035. If we have to retain the present limits of age on account of university conditions at home, do you think that it would be best to sacrifice that probation in England with the object of getting the men out, one year or perhaps two years' younger, than you would under a full probationary course?—No; I am very much in favour of the full probationary course at home.

11036. Even if it leads to an older officer coming to India?—Yes.

11037. You do not think that that probationary course could be arranged for province by province, for instance in Bengal, almost as well as can be done in England?—No.

11038. Do not you think that the instruction in the general principles of law and Indian codes could be given by a specially-arranged course of lectures; instruction in India?—It could.

11039. Do not you think that the language instruction that is given in England could be arranged for and given in India?—Certainly it could.

11040. Then, according to that, the only thing that is left on which you lay so much stress is attendance at English courts?—That is so.

11041. It is practically on that single point that you wish to insist on probation in England?—Yes, that and the atmosphere; it really comes to that.

11042. The reporting at the High Court of Calcutta would not meet that?—I do not think so.

11043. One reason, one strong reason, you have for retaining this period of probation in England is that it gives an opportunity for the rejection of the unfit?—Yes.

11044. If, as a matter of fact, we find by inquiry that nobody has been rejected as unfit for a considerable number of years, would not that be sufficient to overcome that objection?—Yes; it would certainly.

11045. Then, in your answer to question (25), you have suggested that you might select from District Munsifs, at an earlier stage of their career, probationers for listed posts. Have you considered that that would possibly act as a very considerable disappointment to the Provincial Service as a whole; would not that affect that Service very considerably?—It would, no doubt, create a good deal of individual disappointment and heart-burning; but I do not think that it would affect the Service prejudicially.

11046. The selection of a young man out of that Service would take away the incentive that is now given by these listed posts to the senior members of the Service. Would it not?—It would undoubtedly. There is undoubtedly that objection; I must admit that.

11047. Then I would just like to ask you about your proposals for the Indian Civil Service pension. You have largely based them on the supposition that a Civilian who completes his ordinary service pays at least half of that pension by means of his contribution, and that an officer of longer service pays considerably more. If, as a matter of fact, it is found by actual calculation that this is not the case at all, that the contribution made by a Civilian is a much smaller percentage, would you still be in favour of any change in that annuity system even if it was found to involve a reduction of the present pension of £1,000? If, for instance, it was found that a Civilian subscribes £400 a year or considerably less, and the Secretary of State were to consider that the non-effective charges of the country should not be increased to the amount that you suggest as special pensions, would you still recommend that the pension scheme should be altered even if it involved a reduction in the existing annuity of £1,000?—Would I prefer it to be reduced to £600 and no contribution?

11048. Yes?—Yes, I think I would, because it would put the matter on a proper footing. At present it is deceptive.

11049. Then, in answer to question (137), you have given expression to an opinion that a member of the Viceroy's Council should not be eligible for further promotion in India as the head of a province. Do you think that with the experience that an officer gains in the Service as a member of the Viceroy's Council, he has a much wider outlook on Indian affairs than he could ever get by service in a particular province—do you think that is a good reason to give him such experience before he becomes the head of a province?—My own opinion is that the head of a province should come first.

11050. If the head of a province came first, have you considered what would be the position of the head of the province when the Government of India is composed largely of persons who have just finished their careers as the heads of provinces; would it not have the effect of weakening to a great extent the position of the head of the province for the time being, if an officer who had just been the head of a province is in a position like that of a member of the Viceroy's Council?—I suppose it would weaken his position to some extent.

11051. Would it not weaken the position of the head of a province to know that his immediate predecessor is a member of the Viceroy's Council, sitting in judgment upon his work?—Yes, I suppose it would be an inducement to carry on the work on the same lines as his predecessor did. There would be that danger.

11052. In order to avoid that danger, would you be prepared to recommend that both the head of a province and the membership of the Viceroys' Council should each be the finish of the career of an officer?—That would be a better solution.

11053. (*Mr. Gokhale.*) How many years does one take, on the executive side, to reach the position of a Commissioner? How many years' service has a Civilian to put in on an average?—I suppose between 20 and 25 years.

11054. How many years does a man on the judicial side take to reach the High Court roughly?—Over 25 years.

11055. About 25 years?—Yes.

11056. In your answer to question (27), you say, speaking about the relative merits of the Indian and European members of the Civil Service, "Judging by actual results so far, I think that the reply must be in the negative. It apparently has not been found possible to appoint Indian members of the Indian Civil Service ordinarily to the higher executive posts, such as Commissionerships, Memberships of the Board of Revenue, and Secretaryships; and, as regards the Judicial Branch, no such Civilian has ever been appointed permanently to the Calcutta High Court, while only two who have risen to be Legal Remembrancers." We will take these statements one by one. Do you know when Indians first entered the Indian Civil Service and came to Bengal?—I think Mr. Romesh Chunder Dutt was the first, was he not?

11057. Yes, was it not in 1871?—Yes.

11058. From that time we will take the executive side?—I would rather begin with the other side.

11059. We will take the executive side first and then the judicial. You mention the Commissionership first. Can you tell me how many Indians in the Indian Civil Service during all these years have reached the necessary seniority to expect a Commissionership?—I cannot say.

11060. I have looked into the question, and I do not find more than four?—Do you mean that only four have been qualified for a Commissionership?

11061. Only four Indians have ever reached the necessary seniority to become qualified for the position of a Commissioner. I will give you their names. Mr. Romesh Chunder Dutt was the first?—Yes.

11062. And he acted as Commissioner twice for long periods?—Yes.

11063. He was once appointed Commissioner over the heads of European officers?—I do not know that.

11064. He retired while holding an acting Commissionership?—Yes.

11065. He was not superseded?—No.

11066. The next one was Sir K. G. Gupta. You know that he became a Commissioner, a Member of the Board of Revenue—the senior Member—and is now a Member of the Secretary of State's Council?—Yes.

11067. So your description cannot apply to him?—No.

11068. The third Indian was Mr. Badshah, a Parsi from Bombay. He became Postmaster-General and Excise Commissioner, much above the average?—Yes.

11069. So your description would not apply to him?—No.

11070. The only other man was Mr. De, Collector of Hooghly. He retired last year. I do not find any other Indian who had attained the necessary seniority so far?—I am surprised to hear it.

11071. As regards Mr. De, you said that you did not notice what the *Pioneer* said about him?—No; I did not notice it.

11072. He had acted twice as a Commissioner and was passed over when the permanent post had to be filled?—Yes.

11073. This is what the *Pioneer* said—you would not charge that paper with any undue partiality to Indians! It said: "Mr. De may have the consolation of feeling that he has done much more important work for the public as a Collector than he probably could have done in the higher post. Since June 1905 Mr. De has been Collector of the Hooghly District, and it can hardly be accidental that while the other environs of Calcutta have been seething in disturbance and disorder, Hooghly, only 24 miles distant, has known nothing worse than a few petty cases of boys shouting *Bande Mataram.* When some of these youths took to throwing mud at Europeans, the people themselves took them in charge and brought them before the Collector to suffer such punishment as he could award. If it had been possible to multiply Mr. De sufficiently, there would have been no trouble in Bengal; but these are the men who glide out of the Service unnoticed, while the person who is chiefly responsible for the mischief probably makes his exit under salute, in a coat covered with ribbon and stars." Surely this is fairly good testimony to the work of Mr. De. His supersession does not point to very much. May I put it like that?—I do not know what value is to be attached to that article in the *Pioneer.*

11074. In any case there it is. Have you known any other instance where an Indian should have become Commissioner but has been passed over?—I cannot name any.

11075. Now, I come to the Judicial side.—You might mention the Secretaryships.

11076. Well, I will take Secretaryships. You say Indians have been passed over in the matter of Secretaryships. Is it not more correct to say that Indians are not admitted into what may be called the heart of the bureaucratic machine—there is a reluctance to admit them into the heart of the bureaucratic machine *i.e.*, the Secretariat?—I cannot say that.

11077. I will put it in another way. I suppose you will allow that the chief qualifications for a Secretariat officer, for a Secretary, are industry, general ability of a high order and some literary ability?—Yes.

11078. Take Mr. Dutt's case. Mr. R. C. Dutt was, by common consent, a man of great ability and high literary gifts?—Yes.

11079. He was also a man of prodigious industry?—Yes.

11080. He was never appointed Secretary?—No.

11081. Do you think that he was passed over for a Secretaryship on grounds of efficiency, or was it because the general policy of the Government is not to have Indians as Secretaries?—He could not have been passed over on the ground of inefficiency.

11082. Take Sir K. G. Gupta's case. He became the senior Member of the Board of Revenue, and certainly he could have made a good Secretary?—He could not have been passed over for a Secretaryship for inefficiency.

11083. He is now in the Secretary of State's Council?—Yes.

11084. Do you remember the warm appreciation which Lord Morley as Secretary of State expressed of him some two or three years ago?—Yes.

11085. Here are then cases of Indians who were qualified for Secretaryships, but were not appointed to those posts?—Those two are certainly cases of men who might have been appointed.

11086. So I do not think that this can stand—the fact that Indians have not been appointed as Secretaries shows that they are inferior to English men, or that the Indian average is inferior to the English average. I do not want to press you if you do not want to answer it?—I cannot.

11087. We will now turn to the Judicial side. You say that it takes 25 years to reach the High Court?—Yes.

11088. You yourself reached the High Court in 25 years?—Yes.

11089. Can you tell me how many Indian Civilians have so far attained the necessary seniority to come to the High Court?—I cannot tell you.

11090. Will you be surprised that there have been only two instances, and that in both these instances these men have acted as High Court Judges? We will take the first instance: Mr. B. L. Gupta?—He acted.

11091. He acted twice?—Yes.

11092 He was not appointed permanent, but was passed over?—Yes.

11093. Three other English District Judges were passed over along with him—do you know that?—Possibly so.

11094. When he was passed over, three other English Judges were passed over?—I think so.

11095. And they raised a protest against their supersession?—When Mr. Cecil Brett was appointed you mean?

11096. When he was appointed there was a storm?—The officers passed over were indignant, and two of them retired.

11097. Three of them retired when Mr. Gupta was passed over?—I remember two.

11098. When those three retired, do you remember what their complaint was; you probably remember what was said at the time?—I do not remember.

11099. We have had one Indian gentleman who acted, but was not made permanent, and he was passed over with three English Judges. You of course know that another Indian has just been appointed a Judge of the High Court?—This very day Mr. Mullick has been appointed.

11100. He has been selected over the heads of two or three European District Judges senior to him?—Yes.

11101. Do you know of any Indian Civilian senior to Mr. Mullick who has been superseded?—I should like to have a look at the list. Several officers have been superseded lately.

11102. For the High Court Judgeship?—Yes.

11103. There is no officer senior to Mr. Mullick in the list on the judicial side who has been superseded?—Messrs. Beachcroft and Chapman were brought in, and they superseded several.

11104. I am speaking of the Indian Civilians?—There have been a number of Indian Civilian District Judges in my time, and none of them reached the High Court except Mr. B. L. Gupta.

11105. Men senior to yourself?—You mean they retired after they put in 25 years' service.

11106. I find from the list that I have that there is no name of an Indian Civilian on the judicial side who has attained the necessary seniority to reach the High Court?—During the last 30 years?

11107. Except Mr. B. L. Gupta and now Mr. Mullick?—I am surprised to hear that.

11108. I should like to know if you know of any instance?—I confess that I made the statement on the ground that there had been a number of Indian officers in the Judicial Branch in my time and that only one was appointed, and that was only to officiate. That was Mr. B. L. Gupta.

11109. Mr. B. L. Gupta was appointed long before your time?—Yes; he was appointed before I entered the Court.

11110. Do you know of any instances where Indian civilians were superseded for the High Court? Now that Mr. Mullick has been appointed, is there any Indian senior to Mr. Mullick on the judicial side who has been superseded?—There is no Indian senior to him.

11111. We will turn now to Legal Remembrancers. Only two, you say, have been appointed Legal Remembrancers. If two Indian civilians, viz., Mr. B. L. Gupta and Mr. Mullick have reached the position of Legal Remembrancers out of only two or three who had attained the necessary seniority, would that be a bad proportion?—No, it would not.

11112. In the same way, going back to the executive side, if three out of four Indians reached the Commissionership and the fourth retired with that testimonial from the *Pioneer*, if three out of four reached the Commissionership, would it be a bad proportion?—These are facts, and they speak for themselves.

11113. Do you think that amongst the European members of the Civil Service there would be the same proportion—three out of four Collectors becoming Commissioners?—It could not be.

11114. Because there are only five Commissionerships for 26 Collectorships?—It could not be of course.

11115. Taking the average, so far as these appointments show, I do not think that you can say that the Indian average is in any way inferior to the English average?—Those being the facts, they will alter my statement.

11116. I think this will be enough on this point?—Very well.

11117. I will go to your answer to question (1). There you speak of a certain qualification, and you say that this qualification can be had only in "persons who have been educated in England and brought up in the atmosphere of life and thought in that country; or, though in a lesser degree, persons who have acquired it in India through being trained under the English officers." What do you think of that class that has received a high University education in this country, and has made a fairly deep study of English Literature, English History and English Institutions; what do you say of that class? Is it imbued, to some extent, with English ideals or not?—Surely it will not be to anything like the extent of a person brought up in England.

11118. Or a person who has been trained under an English officer as a member of the Subordinate Service?—I should think not.

11119. If he supplements that by some stay in England; even after that he would not be imbued in the same degree?—I should say not.

11120. Say an Indian officer who has been promoted from the Provincial Service?—I should say not.

11121. But after 100 years of British rule, and 60 years of university education, do not you think that certainly more satisfactory results might be produced than this?—I lay great stress on the atmosphere at home.

11122. True; but a man who has been trained under English officers knows nothing of that atmosphere?—He will know it, but in a less degree.

11123. I am talking of that less degree. You think that the best products of our university, even if they finish their education with a stay in England, would not have the acquaintance with English ideals that these officers promoted from the Service have?—I should be inclined to say "No," these officers being also men of education.

11124. These other men would go and stay in England for two or three years?—I adhere to my answer "No."

11125. Very well. You say that, if the simultaneous examinations were insisted upon, within ten years there will be practically swamping of the Service by Indians?—Yes.

11126. Have you any personal experience of university education in this country?—No.

11127. Do you know if educational facilities exist here for training Indians for the Civil Service?—No, I cannot say.

11128 Therefore, if educational experts think that, for several years to come, it would not be possible to train Indians for the Indian Civil Service in any large numbers, would you still maintain your opinion?—All I can say is that I should be surprised to hear it. That is all.

11129. Just one or two more questions. You have said that English officers generally show greater promptitude and firmness in dealing with difficulties than Indian officers?—Yes.

11130. If you were examined privately by the Commission, would you be able to substantiate this by mentioning specific instances?—I should object strongly to give any names.

11131. You say that you are not in favour of making any increase in the proportion of Indians in the higher ranks of the Service at present?—At the present moment, I say.

11132. I do not understand your answer to question (24). If you will kindly turn to that, you will find that your answer in the second paragraph is, "The Public Service Commission of 1886-87 was prepared to go the length of recommending that one-sixth (16·4 per cent.) of the higher posts might be made over to the Indians, and that some advance might be made after the lapse of a quarter of a century". That is the opinion of the Public Service Commission, that some advance might be made after the lapse of a quarter of a century?—That is what they thought.

11133. That quarter of a century has elapsed?—Yes.

11134. Would not you make some advance?—I still think that this is not the right moment.

11135. You further say that 17 per cent. was the proportion for Bengal to-day. That 17 per cent. includes the Indian members of the Indian Civil Service?—Yes.

11136. If you exclude that, the proportion comes to less than one-tenth, as you will see?—Very well.

11137. You remember the rules of 1879—the statutory rules of 1879?—Under the Government of India Act?

11138. Under the Act of 1870?—I have seen them.

11139. The rules about the Statutory Service?—Yes.

11140. Do you remember that they practically promised Indians one-sixth of the total recruitment for the Civil Service; one-sixth of the recruitment in India of the total recruitment for the Civil Service for any particular year?—I take that from you.

11141. If it is only one-tenth to-day, it is even less than what we were assured it would be in 1879, because that was not inclusive of Indian members getting in by the London door?—That is so, then.

11142. (*Mr. Chaubal.*) Am I right in understanding that, but for the unrest, you do not think that the present proportion should not be increased?—Yes, what I say is that I look forward to the present proportion being increased, but not now.

11143. Am I right in understanding—I mean the substance of your answers to the questions on this point—that whatever the present proportion may be, whether it is one-sixth as the Act provided for, or whether it is one-tenth as Mr. Gokhale pointed out, whatever it actually is, you would not increase it, because of the present unrest?—The unrest and the general difficulties of the administration at the present moment.

11144. But I have not heard about the general difficulties of the present administration—are there any fresh difficulties which have arisen since 1906?—Everybody is of opinion that the difficulties of administration have increased enormously of late years.

11145. But I should like to know some further definite details?—The difficulties are connected, no doubt, with the unrest; the unrest is at the bottom.

11146. The unrest is the only element which makes it difficult to increase the proportion, whether it is one-tenth or one-sixth?—Yes, and, as I say, the difficulties arising from unrest.

11147. You say, then, that, if since 1870 Indians had not been appointed, this unrest would not have come in: you cannot say?—I cannot say one way or the other.

11148. I want to know if really in your heart of hearts you think that unrest has got anything to do with the number or proportion of Europeans and Indians in the service?—No, my ground is that you want more English officers for the administration just now, because they are more efficient, firmer and stronger and more capable officers than Indians, and also in view of the difficulties of the administration mainly arising out of the unrest.

11149. They are required for the purpose of putting down the unrest, and not for the purpose of preventing the unrest?—Dealing with the unrest and dealing with the position generally.

11150. Taking the state of things as it is, that there is unrest, you think that the present juncture is not the time when you can expect efficient control of the country in a state of unrest by Indian officers?—That is my opinion.

11151. But it has got nothing to do with the prevention of unrest?—When the unrest entirely disappears and the former condition of affairs is resumed, of course that objection would go.

11152. I want to ask you a few questions about the question of the separation of judicial and executive functions?—I am not quite sure that I am prepared to give an opinion on that, and support it with reasons, not being an executive officer. I think an executive officer could give you the objections to it better than I can. My only idea and impression is that, if you take away the judicial functions from the Collector, who is the most important unit in the whole of the administration, you will weaken his position enormously. If you take away his magisterial powers you weaken his position enormously; and my idea is that that would be a great loss to the administration of the country, because the Collector is the pivot of the administration.

11153. Will you kindly let me begin lower down in the Judicial Service; take the magistrates, the different classes of magistrates: would there be any objection to separating their executive and judicial functions? Let us not come from the top, the Collector and the District Magistrate, but let us go from below, take the Subordinate Magistrates: what objection would there be in principle to their executive and judicial functions being separated?—I have not given an answer to this question; I have really not considered it.

11154. I do not want to press you, if you do not wish to answer it?—I am under the impression that they are all in practice separated now in the lower grades. One Magistrate does magisterial work entirely, and another does road-cess work and so on.

11155. My question was put on the supposition that the Magistrates did both the executive and general administrative work, and magisterial and criminal work. It was on that supposition that I put that question. If that was not so, I would not put it?—I suppose they do both.

11156. If they do it, then my question is whether you see any objection to the separation of the two?—I cannot see any objection, beyond expense.

11157. Have you considered the question of expense in detail?—No, I suppose it would be more expensive.

11158. It would be somewhat expensive no doubt, but I suppose if a system of judicial administration be *primâ facie* good and if we have adopted a wrong one for some years, it is not a ground against introducing the proper system. The additional expenditure should have been there from the start; however, you have not worked out what the expense would be?—No, I have intentionally refrained from answering the question.

11159. What do you think of the complaint made in some quarters that the promotion and the prospects in the administrative department, I mean the Revenue Department, of these Magistrates who exercise magisterial functions, are entirely in the hands of the Collector, and that he arrives at his opinion about the efficiency or competency of these men from one element only which he takes into consideration, and that is the way in which they exercise the executive and the magisterial functions?—You mean to say that their promotion depends upon the Collector's reports to the Government?

11160. The promotion of all revenue subordinate officers is in the hands of the Collector?—Yes, in the hands of the Collector in that sense.

11161. In the hands of the Collector in substance; though all orders come from the Government, it depends upon the Collector?—Yes, it depends upon the Collector's recommendation.

11162. And the Collector forms his opinion from the magisterial work that a man does?—I suppose so.

11163. Do not you think that the complaint is made, whether rightly or wrongly, and I want your opinion,—that the lower magistracy does not act independently, and there is more or less a studied attempt on their part to satisfy their official superior, the District Magistrate, in the discharge of their magisterial functions?—That is to say, to convict; it comes to that—does it?

11164. Yes, probably?—That is undoubtedly said; I hope it is not the case.

11165. We have not come to any conclusion upon that?—That is undoubtedly said; but I think there is one thing in regard to convictions. There is no doubt that it is easier to acquit than to convict, and I have noticed myself that inferior officers acquit most frequently. It gives them no trouble to do so; there is no judgment to write beyond a few words; and there is practically no appeal. I can quite understand the Collector of a district, when he finds that one Magistrate acquits much more freely than the others, looking into the matter and finding that he is scamping his work.

11166. May I ask if you have worked in the Secretariat?—Yes.

11167. As Legal Remembrancer?—No, I have not been Legal Remembrancer; but I have been Secretary to Government.

11168. Do you have any information as to the number of recommendations for appeals against acquittals made by District Magistrates and the proportion in which the Government grants those requests?—No.

11169. But supposing the number of applications for sanction to appeal against acquittals was much larger and the sanction is granted in a few cases; then I suppose you take it that the Government does not think that the acquittals have been so improper as to necessitate appeals against them?—An appeal against an acquittal is a very exceptional thing; the Government knows perfectly well that the chances are very much against succeeding. It is only in very strong cases that the High Court will listen to an appeal against an acquittal.

11170. All the same, the Collector and the District Magistrate, who asks for sanction to appeal in a case in which the accused have been acquitted, according to his opinion, wrongly by a lower Subordinate Magistrate—a black mark against that Magistrate would be entered so far as that Collector is concerned?—I suppose so; certainly, if he thinks it an obviously wrong acquittal, he would recommend Government to prefer an appeal.

11171. Supposing, in cases of emergency, the preventive powers of the Criminal Procedure Code are left intact with the District Magistrate or the Collector, would there be the same objection to taking away his magisterial and criminal powers?—No, there would not; and I rather think that there is a scheme on those very lines. I am not aware of it.

11172. (*Sir Theodore Morison.*) I have only very little to cross-examine you upon. Would you explain to me what you mean by your answer to question (13)? You say, "The experience gained by a Judicial officer during the time when he is employed on general duties is, I think, invaluable." I should like you to explain what it does exactly mean; what exactly are the conditions?—Take, for instance, the revenue system. The revenue system in Bengal is a very complicated system of tenures and under-tenures; and, in the course of his employment on general duties, the young Civilian learns to grasp and understand, and learns what the revenue system is, and he is able to deal much more easily with cases in which that knowledge is essential.

11173. What other questions come before him?—Take another large department—Land Revenue.

11174. What are the cases that come before him?—Cases connected with the collection of the land revenue. Then he gets to know the people. In the general administration he has far more opportunities of meeting the people and learning their customs and their language, than he has when he is sitting in court. It is a wholly different thing to see a raiyat in his village and to see him in court.

11175. That shows the superiority over English Barrister-Judges, and not necessarily Indian Judges?—That is so. He comes to know better than a barrister the people and the different branches of the administration. Then there is the police system; it is necessary to know what the police system is when one is a Judge.

11176. He is familiar with the administrative machine?—Yes; the whole of the administrative machine.

11177. Those, you think, are the three main reasons?—The language, the people, the administrative machine and the land and revenue system. That is all.

11178. You will add "language"?—Yes.

11179. That again goes against the English Barrister-Judge?—Yes, the language.

11180. You have stated, as regards Munsifs, that they are men who have not done very well in practice at the Bar?—Yes.

11181. Would you tell us how exactly Munsifs are nominated?—I shall explain the system in a few words. Anyone who is at least a Bachelor of Laws and has practised for three years and who is able to produce satisfactory testimonials, may apply to the High Court to be enrolled. He must do so before he is twenty-seven.

11182. I suppose he is obliged to be enrolled?—Yes.

11183. Do you see that the papers sent in are satisfactory, or is he automatically enrolled?—No; otherwise, we would have too many on the list. We only enrol as many as we think are necessary for filling acting vacancies, and as many as are likely to be eventually appointed. If we enrol one hundred to-day, ninety of these would never be appointed at all. We try to enrol as many as we think are likely to be required for filling acting vacancies and are likely eventually to be appointed before they are 31 to the Service. The appointment is in the hands of one of the Judges, who is guided merely by the exigencies of the moment.

11184. I suppose he makes up his mind, after fifty applications are received, that he can only accept five?—We do not do it in that way. They come in from time to time; every week perhaps there is one, or there may be two. Each application is dealt with by itself.

11185. So there is no comparison between the claims of those who are admitted this week and those of others admitted next week?—We have fixed a fairly high standard. There is no comparison in that way. We do not necessarily appoint first one who is enrolled first.

11186. What I wanted to know was how you make the selection for the enrolment?—Subject to numbers, if the applicant has all the qualifications—if he is a B.L. and has satisfactory testimonials—he is enrolled, subject, of course, to numbers, as I said.

11187. That is a very important qualification?—Very important, because for months and months we do not enrol anybody at all.

11188. When a vacancy occurs?—After they are put in this enrolled list, when a vacancy occurs, through a Munsif applying for leave, we recommend to Government that he be granted leave and that somebody from the enrolled list be appointed to act for him.

11189. How is the selection from among the enrolled list made?—At the discretion of the Judge; he whom he thinks best qualified will be selected.

11190. He has to form his opinion on the testimonials?—And invariably he interviews the officer. That is the practice.

11191. Before he is enrolled?—Yes, before he is enrolled.

11192. That particular officer?—No. The first order passed in the case is "The Judge will interview you." If he is told that the Judge will not interview him, he may take it that his application will be rejected. The first step towards his enrolment is that the Judge will interview him, and if the Judge is satisfied with the interview, the applicant is enrolled. Then he must get an acting appointment before he is 29 otherwise he would automatically disappear from the list. Once he gets an acting appointment, he takes his turn, and as his turn comes he fills other acting appointments, and we keep to seniority. And then, if a permanent vacancy arises, we consider the claims of those who have acted and the reports that we receive from the District Judges as regards their efficiency when they have been acting, and then nominate the person to the Government who is best qualified.

11193. Are they men who have held officiating appointments?—Yes.

11194. That is the real selection?—Yes.

11195. You take from among people whose work has been actually under your notice?—Yes.

11196. Then I understand that they have to be in practice for three years at the Bar?—Yes, before they are enrolled.

11197. Is there any particular test of merit during those three years?—I am afraid not. That is why I have suggested that it should be reduced to at least one year, and might be abolished, because they do not get any practice at all during the three years.

11198. In the present condition of the Bar it is impossible for them to get any practice during that time?—Yes.

11199. (*Lord Ronaldshay.*) In Mr. Gokhale's cross-examination allusion was made to the high praise given to an Indian officer. Was he personally known to you?—I never met him to my knowledge.

11200. What is the reputation he had in the Service: was he considered an efficient officer, generally speaking, in the Service?—I can scarcely answer that question. I know very little of him; I have never been anywhere near him; I have never been in the same district with him.

11201. I simply want to know whether in the Service he had a high reputation for efficiency?—I am surprised at the encomium passed on him by the *Pioneer*. I have not heard him elsewhere spoken of as the *Pioneer* has spoken of him.

11202. I will ask one question which also arises from Mr. Gokhale's cross-examination. I should like to ask you a question about the appointment of Indians to Secretaryships, and so on. Was it not a fact that between 1907, I think, to 1910, or between 1906 to 1910, I forget which, an Indian was appointed as Junior Secretary to the Board of Revenue in Bengal?—Yes, I remember that was so.

11203. He was?—Yes.

11204. Do you remember whether he proved to be an efficient and satisfactory officer in that capacity?—I cannot say.

11205. You cannot say?—No.

11206. Was it not a fact that two members recorded their joint opinion that they got no useful service from him?—I am not aware of it.

11207. (*Chairman.*) Such questions ought to be asked in private and not here.

11208. I will not pursue that point. Putting all personal questions entirely aside, can you tell me whether the Government of Bengal have recently instituted a scheme for training Indian members of the Provincial Service in Secretariat work?—I do not know.

11209. I have a question to ask with regard to what you say as to the necessity of a better course of instruction in law being given to candidates for the Indian Civil Service. Prior to 1891 there was a probationary course of two years, was there not?—Prior to 1891 there was, as in my time.

11210. In the course of that period of probation there was a fairly good course of instruction in law?—Yes, certainly. There were regular lectures at Oxford, and I attended them thoughout those two years. I had to attend trials, report cases in law courts, and show that I understand them; and most of us who were in any way fond of law attended the courts a good deal and learnt much.

11211. Subsequent to 1891 the period of probation was reduced to one year, and a large part therefore of the curriculum in law had to be dropped?—I understand so.

11212. What I want to ask you is: have you had any opportunity, in the course of your service here, of comparing the qualifications of those men who entered the Service prior to 1891 with those of the men who entered the Service subsequently?—Yes, I have had opportunities.

11213. What is your opinion; is it your opinion that those who entered the Service prior to 1891 were very much better qualified as far as the knowledge of law was concerned?—Yes.

11214. That is so?—That is my opinion.

11215. If that system was to be restored, if we were to go back to the period of two years' probation in the place of one year's probation and include in the curriculum a regular course of instruction in law which was given when you had the two years' period of probation, would you still consider it necessary to include law as a compulsory subject for the open competitive examination?—Yes; I think I would. I think that the importance of law for every Civilian is, as I have said, very great. I think I would go to the length of making it compulsory.

11216. One other question that I want really to ask you (it is a point of detail) is: in answer to question (125), you say, "The present maximum medical pension is £700 a year after 25 years' total service, of which 21 must have been active." Is it not the case that a Civilian who has had 25 years' service, of which 21 has been active, is entitled to full pension?—There is a mistake in my reply as printed—there must be. I think it must be after anything short of 25 years' total service, of which 21 must have been active. If an officer, for instance, has put in 24½ years' service, of which 21 has been active, he would get £700 a year only.

11217. You would like to correct your answer?—I must correct it, and what I have now said is correct. There is a slip. As you say, he is entitled to full pension after 25 years' service, of which 21 has been active. How? I think it ought to be "the present maximum medical pension is £700 a year after anything short of 25 years' total service, of which 21 has been active." That is to say, if an officer has served for 24 years and 6 months, he will get a pension of £700 a year, provided he has put in 21 years' actual service.

11218. There is only one more question arising out of your answer to question (137). It is the suggestion that you make in your answer to that question that a Member of Council may refrain from criticising the policy of the authorities, because he is afraid of causing some displeasure to them and therefore risking such chances of promotion as he may have for a Lieutenant-Governorship?—The feeling is that he is not as independent as the Service would like him to be.

11219. And, therefore, if he really thinks that the policy which he had to discuss as a member of the Government of India is open to criticism; if he thinks that the policy is open to criticism—he is, under the present conditions, rather disposed to modify or withhold such criticism for that reason?—It has been thought, in some cases, that they might have been more independent and been more ready to criticise if they had not had this prospect before them.

11220. (*Mr. Bompas.*) You were asked a question about the amount of administrative work that a District Judge had to do; you instanced Patna, where you had five Munsifs; there are other districts where there are many more Munsifs?—Yes.

11221. I believe there are 25 in Mymensingh and 30 in Tippera?—I do not know that there are quite as many as that. There are districts with a larger number of Munsifs.

11222. The High Court finds it necessary to exercise considerable control over their work, the method of disposing of work by quarterly and annual returns?—Yes.

11223. And they constantly call for explanations of undue delay?—Yes, and of undue detention of witnesses also.

11224. That control is necessary and has a wholesome effect?—I think so.

11225. You think that control is necessary?—Yes.

11226. The District Judge is a factor in exercising that administrative control?—Yes; it is through him that it is exercised.

11227. I would like you to turn to the question of pensions for the Civil Service. It is a fact that the pay of the Civil Service has not been generally raised for a long period?—Yes.

11228. And the cost of living both here and at home has gone up?—Yes.

11229. Do you also agree that, if you raised the age of entry into the Civil Service without raising the initial pay, you would render it less attractive?—Yes.

11230. That if you offered a man one thousand a month at 29 years of age, it would be more attractive than it would be if you offered it to him at 33 or 34?—Yes.

11231. That raising of the age of entrance would constitute a serious detraction from the attractions of the Service?—Yes.

11232. I take it that the Service, as a whole, would not consider it desirable to ask for a general rise of pay?—I think not.

11233. Do you think that, if the pension of one thousand pounds a year were made a non-contributory pension, it would be welcomed as a reasonable instalment of justice to the Service under the changed conditions?—I think so.

11234. It would be very generally desired?—Yes.

11235. You believe there is a feeling that something should be done to meet the changed conditions?—Yes, undoubtedly.

11236. You say that, as regards the contributory system, whatever the actual pension is, whether we take it at £500 or £600, it would be fairer to pay it than to have the present system of contributory pension?—Yes.

11237. But I suppose it would be undoubtedly less attractive from the recruiting point of view?—Yes.

11238. It would be a fairer way of contributing 4 per cent. towards annuity; it would be fairer that each Civilian on his retirement received a Government pension of £500 or £600 and the contribution he had paid in in the form of provident fund, the return from the provident fund?—Yes.

11239. And received his annual contribution *plus* interest?—Yes.

11240. So that a man who paid much would not be contributing to the pension of the man who paid little?—No.

11241. That also, I take it, would be less attractive from the recruiting point of view?—Yes.

11242. The fact is that a civilian joins in this system of flat pensions practically for the benefit of recruiting?—It comes to that.

11243. And that system does not prevail in any other Service?—I believe not. They all know exactly where they stand.

11244. And it must work very hardly in individual cases?—Yes.

11245. Particularly in the case of a successful officer who rises high and stays longer in the Service?—Yes.

11246. Now, as regards recruitment of District Judges from the Bar, have you considered how it would exactly work in Bengal; has any definite scheme been put before you?—No, the most definite scheme was Mr. Sinha's yesterday.

11247. As to the age of recruitment, I take it that the man would have been some years at the Bar before he is offered the post of a District Judge?—Yes, his qualification would depend entirely upon his practice, and therefore he would have to put in a substantial number of years of work.

11248. You said that a man with first-class prospects in Calcutta would not take up the Judgeship?—I think he would not.

11249. Would you say that a man of even second-class would not?—I do not think that a man even with second-class prospects would take a District Judgeship.

11250. Would you say that residence in Calcutta is a very great attraction, and an officer will make pecuniary sacrifices to serve in Calcutta rather than in the mufassal?—Yes.

11251. For the purpose of health and the education of his children?—Yes.

11252. So, anybody with a prospect of making Rs. 1,500 or Rs. 2,000 would not take up a District Judgeship?—No. There is also the freedom of the Bar which is a great attraction to its members.

11253. But there would be a very large class of men—men of a third class, who would be glad to take it?—Any number.

11254. And they would be selected, I suppose; it is not proposed to hold an examination for them at the age of 35 or 40?—They would be selected.

11255. As a matter of fact, it would be a system of pure selection?—I suppose it would be.

11256. There would be only one or two appointments a year, if there were as many?—Yes; but I am not sure Mr. Sinha did not suggest an examination.

11257. I do not think so?—He did not.

11258. Is your experience of selection by Government for a few posts generally successful; are there not exceptional difficulties in this country?—There are great difficulties; I know it is a very disagreeable thing to do the selection oneself.

11259. Selection from a host of applicants who have not been successful at the Bar to a post of that kind would lead to great difficulties?—It would be very difficult indeed.

11260. I suppose you agree that the system would not have any resemblance to the English system in which a member of the Bar takes up a judicial office practically at the end of his career?—No resemblance.

11261. When his practice is failing, do you think it would result in any way like that, in Bengal, in Calcutta; do you think that barristers over 50 and 55 would be suitably sent on to the mufassal as District Judges?—Certainly not.

11262. It is not the English system that could be adopted?—Certainly not.

11263. (*Mr. Mukherji.*) I have two small questions to ask you with reference to the 20 listed posts which are now held by the members of the Provincial Service, and to which you refer in answer to question (24). Do you know that four of them are Assistant Sessions Judges with no increase to their pay, and eight of these appointments are appointments of Joint Magistrates and Assistant Magistrates which are now merged in the Provincial Service cadre, so that it leaves only eight posts where men are drawing any pay above the pay of their grades?—I know that it includes Assistant Sessions Judges, but I did not know that it included the others.

11264. Out of the remaining sixteen, you may take it from me—here is the list—there are eight Joint and Assistant Magistrates merged in the Provincial Service grades where men are drawing no extra pay; it leaves only eight appointments where men are benefited, that is the extent of the listed posts?—Yes.

11265. When you say that a pleader who is doing anything at all at the Bar would not think of accepting officiating Munsifships, you do not mean Munsifships are filled by failures or the leavings of the Bar?—I have gone too far, I must confess, I am glad you mentioned that matter. I think that, for example, very largely sons of Subordinate Judges and Deputy Magistrates are very often anxious to be appointed from choice rather than from mere necessity.

11266. That gives you a chance of explaining, because it may lead to misapprehension?—Yes.

11267. (*Mr. Sen.*) You are of opinion that one of the seats on the Bench of the Calcutta High Court should always be occupied by a member of the Provincial Service?—I have said so. That is my opinion: I have long held it.

11268. Will you kindly tell me when an appointment was made from the Provincial Judicial Service to the Calcutta High Court?—I believe only one was made, and I think it was 30 years ago.

11269. In the year 1882?—Yes, and that for six months only.

11270. Since then no appointment has been made from the Provincial Judicial Service?—I believe that has been the only appointment; none before or after that.

11271. I believe there is a Judge in Madras recruited from the Provincial Service?—Yes, I believe so.

11272. His name is Mr. Sadasiva Aiyar?—So I believe.

11273. There is a Judge in Allahabad?—Yes.

11274. Mr. Justice P. C. Banerji?—Yes.

11275. There is a Judicial Commissioner in Oudh, Rai Bahadur Kanhayalal?—Yes, so I believe.

11276. There is no such appointment in Bengal?—No. In the Punjab also there was one, Sir Pratap Chatterji, who retired.

11277. Mr. Justice Ranade was in the High Court at Bombay?—Yes.

11278. My case is that within thirty years no appointment has been made to the Calcutta High Court from the Provincial Service men?—That is so.

11279. You consider that the present system of recruitment of Munsifs after three years' practice at the Bar is defective, and you think that the period of practice may be reduced to one year?—I think so.

11280. At the same time would it not be desirable, that once a candidate is enrolled he should be attached as a probationer to some District Court with a fixed allowance?—I think I have already stated that something of that kind should be done.

11281. You have said that as a probationer particularly he would have this advantage; he would be able to learn all kinds of work, he would assist the Government Pleader, and he would learn work generally?—Some such scheme as that would be very beneficial.

11282. That is desirable in the interests of the candidates themselves, for once they get an officiating appointment, they will have absolutely no practice at the Bar, even if the man gets an appointment for about three months?—That is the case.

11283. So the system of probationership may be introduced with a fixed allowance?—I think it might be.

11284. The number of listed posts open to the Provincial Judicial Service in Bengal appears to be four out of eight. There are eight listed posts open to Magistrates and Judges in Bengal There are four listed posts open to District Judges; do you consider that number to be sufficient out of thirty-one Judges including the Legal Remembrancer?—I think I should be quite glad to see that number raised.

11285. In the United Provinces the number has been just raised from five to eight?—Yes.

11286. Here there is an anomaly, as it appears to me, that Magistrates who are appointed from the Provincial Executive Service get exactly two-thirds of the pay of the Magistrates belonging to the Imperial Service; that is to say, a Magistrate of the third grade gets two-thirds of Rs. 1,500, which is the pay of the third-grade Magistrate in the Indian Civil Service. The second-grade Magistrate gets Rs. 1,200, which is two-thirds of Rs. 1,800, which is the pay of the second-grade Magistrate of the Indian Civil Service; but a Judge of the Provincial Service gets only Rs. 1,200 as pay; which is less than two-thirds of the pay of the Civilian District Judge, and then the pay of the second-grade Judge is Rs. 1,600, which is also less than two-thirds of the second-grade Civilian Judge. May I be permitted to ask whether that is fair to the members of the Provincial Judicial Service?—I do not understand why the members of the Judicial Service are not treated in the same way as the members of the Executive Service.

11287. Are you not of opinion that if the members of the Bar be appointed as District Judges, it will cause disappointment to the members of the Indian Civil Service and also to the members of the Provincial Judicial Service?—Certainly it would.

11288. You have already said that there is a good deal of complaint in the grade of Munsifs and that steps are being taken to remedy the grievances of the Service. You recommend a time-scale of pay to enable them to get Rs. 400 after ten years' service; would you go a little further, that is to say, would it not be desirable that the grades should be so readjusted or that the time-scale should be introduced in such a way that a Munsif may become a Sub Judge at an age not exceeding 45 years?—I would rather not go into details; I think some regrading and not some rise in pay is necessary.

11289. But the thing is that at present no one can become a Sub-Judge, unless he is 50 or 49?—Yes.

11290. If the age is lowered by the time-scale system, that would be a distinct advantage?—It would be.

11291. If the present system of recruitment of Munsifs is retained, that is to say, if a Munsif is appointed at the age of 31, is it not desirable that we should fix his salary at Rs. 300?—I should say at least Rs. 250.

11292. I say that at present the Deputy Magistrate, the Extra Assistant Conservator of

Forests, the Deputy Superintendent of Police, the Assistant Engineer,—these get Rs. 250 as their initial pay, and they enter the service at the age of 25?—I should say it ought to be somewhat higher than what such officers get.

11293. If they enter at the age of 30 or 31 they should get more?—That seems to me reasonable.

11294. Is it not desirable that one of the members of the Provincial Judicial Service should be selected from time to time as Assistant Registrar of the High Court, another as Personal Assistant to the Judicial Secretary to the Government, so that they may be in practical touch with the High Court and the Government in order to enable them to represent their grievances now and then?—I see no possible objection in theory; but I do not know if there would be any difficulty in practice. It is a new idea; I have not heard of it before.

11295. If Munsifs are recruited as now at 31 or 32 years of age, would it not be desirable that there should be some relaxation of the rule requiring that an officer should complete 25 years' service to enable him to earn a full pension? At present frequent extensions have to be granted?—I am inclined to think so.

11296. About 22 years?—I should think so.

11297. There should be a relaxation?—Yes.

11298. Do you think it would be a good training for Munsif's work if they were Assistant Settlement Officers for some time?—Yes.

11299. Do you think that the period of 18 months for each officer is sufficient, or that the training should be for a longer period?—Can you tell me how long it is now?

11300. At present it is 18 months?—I think that ought to be sufficient.

11301. About the Presidency Small Cause Court, at present, a member of our Service is appointed a Judge; but we cannot, as it were, reserve it exclusively for our Service. Should not such a step be taken so that on the occurrence of a vacancy we might get one of the vacancies?—You always have one appointment.

11302. There is Mr. H. N. Roy, but there was no Judge in the Small Cause Court from the Provincial Service some years ago?—I do not quite understand you. As far as I am concerned, I should like to have always from the members of the Provincial Service at least one Judge in the Small Cause Court and one in the High Court.

11303. You have already recommended that Munsifs and Sub-Judges should get privilege leave on full pay?—I have.

11304. There is no objection to combining privilege leave with vacation; at present they cannot?—I think I have said somewhere that all these restrictions are very harassing, all these restrictions on leave. I should like to see them removed. That would cover this case.

11305. There is also a restriction that an interval of six months should elapse between the two leaves?—I meant to include that also when I made the general recommendation.

11306. There are many artificial restrictions on furlough and other leave?—Will you look at my answer to questions (108) to (113)? I say: "Officers do not, as a rule, take anything like all the furlough due to them, and often take far less than they ought to take, simply because they cannot under the altered conditions afford it. The present leave rules are subject to many irritating and useless restrictions, such as those that limit the combination of various kinds of leave and prevent the grant of furlough till completion of eight years' service or within eighteen months after return from privilege leave. Until recently a High Court Judge could not combine ordinary leave with the vacation, and a Judge had to return to India and sit in court on the last day of the term and then return to England for the vacation or spend the latter in India. At last the concession was made that one vacation may be either prefixed or affixed to leave; but beyond that the Secretary of State has found it impossible to go, and a Judge is still prevented from prefixing one vacation and affixing the next, although so far as appears no one benefits in any way by the limitation. I submit that officers should be permitted to draw on any leave to their credit without any restriction other than that imposed by the exigencies of the administration." That covers all these points.

11307. About the pension of officers holding listed posts; they get only Rs. 5,000 just as other covenanted officers. Could not the pension of officers in the position of District Judges or District Magistrates be increased to at least Rs. 6,000 just as in the case of the Inspector-General of Registration?—I hesitate to give off-hand an opinion on these details.

11308. There is one other question, Whether a District Judge should have the power of suspending Munsifs? The law gives him the power, but why not the High Court itself?—I do not remember a single instance of a District Judge making use of that power.

11309. But why should it remain in the Statute book? District Judges do not, as a rule, take the responsibility of suspending Munsifs, but still it is there in law?—If we were re-enacting it, I would strike out that provision without hesitation. It is a mere academical point. The power is never used, at least I have never known it used.

11310. Another little question about joining time: Munsifs transferred during Easter holidays do not get joining time?—That is a grievance of the Munsifs, and I think it is a real grievance.

(The witness withdrew.)

(Adjourned for a short time.)

W. S. MILNE, ESQ., I.C.S., Junior Secretary, Board of Revenue.

Written answers relating to the Indian Civil Service.

11311. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think the present system of recruitment is generally satisfactory in principle.

11312. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—(i) A knowledge of the principles of law is valuable to Executive as well as to Judicial officers, and I would assign 600 marks to the subjects of English and Roman Law at the first examination. (ii) I would insist on a *vivâ voce* examination in all possible subjects.

11313. (6) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think this combination is advantageous, as it secures a wider field of candidates. The prospect of securing a post in the Home Civil Service is attractive to the best university men. If any such fail to secure a post in the Home Service they may accept a post in the Indian Service. Without this combination the Indian Service might lose desirable candidates.

11314. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—It may be argued in favour of a system of simultaneous examinations that the location of the examination in London prevents many of the best Indians from securing entrance to the Civil Service because of (i) the cost involved, (ii) religious and caste prejudices, (iii) the reluctance of Indian parents to send their sons at a comparatively early age to England, where without parental supervision they may be exposed to great temptations. To my mind these arguments have little weight when compared with the grave objections which may be brought against the system of simultaneous examinations. In order to secure the efficient administration of the country a minimum of European officers is essential. European officers stand clear of all sects and disputes which form a feature of Indian life. They hold a position of impartiality as between different classes of Indians which is generally acknowledged by Indians themselves. Moreover, if India is to be administered on modern progressive lines in regard to Sanitation, Medical Science, Commerce, Education, and the like, a minimum of Europeans is indispensable. If this principle is admitted, a system of simultaneous examination might lead to an *impasse*. Indian candidates might have to be admitted to the Service regardless of the proposed theory of the minimum of Europeans, or preference would have to be given to Europeans regardless of the position they might hold on the combined examination list, in order to preserve the minimum. There are other objections to the proposal. (*1*) What is wanted in the Service is not so much literary ability and the power to pass examinations, as administrative capacity, *savoir-faire*, a knowledge of the world, *esprit de corps* and the capacity to deal with men. It is submitted that school and college life in the conditions at present prevailing in India is not calculated to turn out men of this type. (*2*) School and college life in India cannot turn out men acquainted with modern methods of government, in the same way that school and college life in England can. (*3*) The examinations in India would tend to the recruitment of a large class of Indians who may have large intellectual powers and power of memory but who are not therefore the best qualified to rule. This criticism will not apply to Europeans or to Indians who now enter the Service through the London examination to the same extent, because such candidates have been brought within the influence of the wider form of European education which tends to produce administrative qualities as much as intellectual. Examinations in India would be unfair to a large mass of Indians themselves. They would exclude the more virile, if less intellectual, sects and races. This was the experience in Bengal when this system of recruiting officers to the Subordinate Executive Service was in vogue. It was found that the examination system practically disqualified Uriyas and the natives of Bihar and Chota Nagpur, in favour of Bengali Hindus. (*4*) It is certain a very large number of candidates would enter for the examination in India, and the unsuccessful competitors would form a nucleus of discontent. It is doubtful also whether the system would be conducive to improvement in general education. "Crammers'" institutions would spring up, and it is probable that they would have a bad effect since their influence would not be counteracted, as in England, by the existence of a large number of universities and public schools. (*5*) The proposed system would necessarily involve the withdrawal of a large number of appointments given to the Provincial Civil Service, and would thereby foster a spirit of discontent and lower the efficiency of the Provincial Civil Service by a sense of injustice. (*6*) The practical difficulties in introducing a system of simultaneous examinations cannot be ignored, though I would not lay much stress on this point, as mechanical means might be arranged to overcome these difficulties. Still it must not be forgotten that examination scandals are not unknown in India. (*7*) It would be a still greater difficulty to secure and maintain a proper and uniform standard in the *vivâ voce* examination. (*8*) Natives of one part of India, from their habits and modes of thought, are not well fitted to discharge the duties of a Civilian in another province, and there is little doubt that for some time Bengal would supply most of the successful competitors. The result of this would inevitably be a plea for the reservation of a certain number of posts for each province. If this were done, the whole character of the examinations would be changed. There would no longer be an open competition. If Hindus secured the vast majority of posts (as they have done even in the open competition in England) the Muhammadans and other sects would naturally feel that the established policy in regard to the making of appointments, which lays down the principle that all communities should have their fair share of posts, had been abandoned. Thus, there would be a tendency towards the intensifying of race jealousy and antagonism which are not unknown in Bengal, and which might at any moment give rise to grave difficulties.

11315 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—See question (23.)

11316 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—Accepting the principle laid down by Lord Macaulay's Committee in 1854, question (20), in regard to the nature of the examination, I think the age-limits should be so fixed as to secure the well-educated man of the period. The best man of this type is the university man, and I would fix the limits therefore as they stood in 1896—1905, at 21—23 years. This limit gives a candidate a chance of completing his university career, and of gaining that *savoir-faire* and that habit of outdoor pursuits which are so essential. The limit of 22—24 years is unnecessarily high. On the other hand, any lower age-limit than 21—23 years would reduce the number of well-qualified candidates; it would result in the selection of schoolboys whose capacity cannot be really gauged at 17 or 19; it would defeat the ideal of securing candidates with a general liberal education, as when a candidate is selected he must leave his general education for a special course of training. The man who has taken an Honours degree has already given evidence of ability and industry such as cannot be given by a youth of the age of 17—19. It may be argued that recruitment at a lower age brings out candidates to India at a time when they have not lost the capacity to take in new impressions, but I do not think much of this argument. The lower age-limit will not suit Indian candidates, and I cannot agree that an officer who has passed the examinations and shown evidence of high industry will necessarily give up interest in new things at the age of 24 or even 25. The duties of a Civilian, from the very start, are such as to demand maturity of judgment, discretion, tact and a thorough education. These qualifications are more likely to be found at the age of 25 than at the age of 21.

11317 (18). What is the most suitable age at which junior Civilians should arrive in India? —See question (15.)

11318 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle laid down in 1854.

11319 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—No. There is already sufficient differentiation, since the subjects of Arabic and Sanskrit are practically never offered except by Indian candidates.

11320 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—There seems to be little reason for altering the schedule. If the prospects of the Service are not guaranteed, it is difficult to see how recruits are to be attracted. But in any case the list of reserved posts can be encroached upon by executive order under the Act of 1870. The exclusion of posts from the schedule would strike at the principle which underlies the schedule. This principle is that the Civil Service is a *corps d'élite* sufficient to fill the chief administrative posts. It is possible to appoint Indians specially selected and specially qualified to fill posts included in the schedule, but it would be illogical to exclude any proportion of any class of posts from the schedule. The distinction between the Civil Service and the Subordinate Service must be maintained. To exclude any proportion of posts from the schedule would blur that distinction. It is on this principle difficult to see how any of the posts can be amalgamated with the Provincial Service. It is sufficient if it is understood that any Provincial Civil Service man of proved merit may be appointed, in special circumstances, to one of the reserved posts. If it is once admitted that a British element is necessary for the high administrative posts, it is illogical to list appointments or any class of appointments, since it cannot be accepted that members of the Provincial Civil Service can do the work for which the qualifications of Civilians are necessary. I would not therefore accept the theory that a proportion of posts included in the Indian Civil Service cadre can be thrown open to Natives of India. The question cannot be considered from the point of view of India as a whole, and it seems to be useless to fix a proportion of the whole cadre, since conditions in different provinces are widely different. What can be done in practice and should be done, is for each Local Government to decide what districts do not necessarily require Civilians to be in charge. To these districts Indians might be appointed. The number of such districts must vary in each province. It follows that the number of "listed posts" must depend on the number of posts for which Indians are suited. It bears no relation whatever to the number of Civilian appointments in the province. In this way, there would be a prize grade in the Provincial Civil Service the members of which might be placed in charge of a particular class of districts. A light district might, for special reasons, occasionally become heavy and then a Civilian should be put in charge. Even in ordinary circumstances it might be found necessary to put a Civilian in charge of such a district, to bring the administration up to the general level of efficiency.

11321 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—See question (23).

11322 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—Indians should still be recruited by open competition in England and certain posts might be filled by members of the Provincial Civil Service, as suggested in answer to question (23) subject to the condition of absolute and proved fitness.

11323 (27). Have the "Natives of India" recruited by means of open competition in England proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on Executive or Judicial duties?—The general opinion is that Indian members of the Service are not so efficient as European members. Few become Commissioners, and still fewer have been found suitable for Secretariat posts. As a rule, they are assigned to the charge of lighter districts. In certain districts it would not be advisable to post Indians—24-Parganas, Dacca, Mymensingh, for example. Indians naturally seem to gravitate towards the judicial side in Bengal. Of the twelve Indian Civilians who hold or have held the offices of District Magistrate or District Judge, four are Executive and eight Judicial.

11324 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

11325 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—See question (23). The answer "No." Officers of the Provincial Civil Service cannot take the place of Civilians, from the very nature of their education. They usually lack a sense of independence and are wanting in initiative and driving power. The consequence is that they are placed in charge of light districts where racial feeling does not run high.

11326 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system? (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—Questions (43) and (44) may be taken together. I do not think that the system of one year's probation is good. It does not give sufficient time for a thorough grounding in law, accounts and the vernacular languages. Law is the basis of administration, and a knowledge of its principles is as necessary to an Executive and Revenue officer as to a Judge. An officer in the Executive or Revenue line must be able to apply the law to facts; he must know accounts as he has to deal with Municipalities, Local Boards, Trust Funds and the like, and he is often called upon to draft rules having the force of law. He must be able to deal with subtle lawyers and he must have a thorough knowledge of the grammar of the language of the people if he is ever to be able to converse fluently. It is not necessary to elaborate the point, as I think it is generally agreed that the Civilian should have a much more thorough training during his probationary period than he receives at present. I would therefore revert to the system of examination as it was in 1891 (Appendix VI) and would place the period of probation at two years instead of one. This extension of the period of probation will not bring out the Civilian at a later age than at present if, as I think should be done, the age-limit is reduced by one year question (15). If the Civilian arrives in India with a thorough knowledge of the principles of Jurisprudence and of the actual practice in the English Courts, there will be little occasion for the adverse criticism which is often levelled at him to-day. To the syllabus of 1891, I would add an examination in accounts and a paper on municipal management. There are few instances in which a Civilian is not the custodian of public money, the Chairman of a Municipality or a District Board.

11327 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—As an Oxford man, I am, I suppose, prejudiced in favour of the candidates' spending their period of probation at a university. Such residence at a university will be especially valuable in those cases in which a candidate has passed the examination without previously taking a university course. The Service will gain in popularity and prestige if candidates are brought to universities. In addition, the candidates themselves would have the advantage of society and some knowledge of the world. They would also make the acquaintance of one another and would be brought into close contact with every shade of opinion and with men of every grade in life. A university will thus have an enormous advantage over any special college which might be established. Such a college would have no *genius loci*.

11328 (46). If so, do you advise the selection of one or more universities for this purpose, and for what reasons?—The two universities of

Oxford and Cambridge seem to me to be the best selections, as they will be most likely to produce the required *savoir-faire.* Their "atmosphere" is a *largior æther* than that of the newer non-residential universities. As a matter of fact most men I think gravitate to these two Universities, and concentration will naturally lead to more efficient and uniform teaching for the examinations at the end of the probationary period.

11329 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend? – The conditions already existing seem adequate, but the allowance should be raised to £200 a year at least.

11330 (48). If you do not advise attendance at an approved university during the period of probation in England, what alternative course of study do you recommend?—See answer to question (45).

11331 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose and, if so, under what conditions?—Such an institution is not desirable.

11332 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education, and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I accept the principle laid down in 1854. I do not think a candidate who passes just after leaving school (aged, say, 17—19) has received a general liberal education. See answer to question (15).

11333 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examimation, and (*b*) under any modification of that system recommended by you. – See answer to question (43).

11334 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts. —See answer to question (43). I consider this syllabus of studies eminently desirable.

11335 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—See answer to question (43). If the syllabus of studies recommended is adopted, or indeed any syllabus on those lines, residence during the probationary period should be in England, not only on the ground that the candidates have two years' longer sojourn in a healthier climate, but because the subjects to be taught are already provided for by the universities and a knowledge of the practice of the English Law Courts is desirable. Moreover, those candidates who pass the examination without first attending a university have a chance of doing so, and this advantage is of inestimable value. It would be difficult and expensive to train probationers in India, and probably each province would desire to deal with its own men in its own way.

11336 (54). What is your opinion of a proposal to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—See answer to question (53). The practical difficulties would be great, and I see no compensating advantage.

11337 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—See previous answers.

11338 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I cannot think of any such scheme.

11339 (59). Do you consider that any differentiation is necessary, during the period of probation, between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No differentiation for the two years' probationary period in England.

11340 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The arrangements are generally satisfactory except in so far as the study of the vernacular is concerned. Civilians should be put through a thorough training in reading manuscripts and in conversation with all classes of Indians. It is presumed that the training in England will give a sound knowledge of grammar and of the written language, but colloquial Bengali is practically a different language, and this colloquial language cannot be adequately learnt in England. There are numerous colleges in Bengal at which arrangements could easily be made for giving junior Civilians the required training.

11341 (61). Is the existing system of Departmental examinations suitable and, if not, what change do you recommend?—I think the system is generally suitable, but would insist on a higher standard in the colloquial tests in the vernacular.

11342 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—I am not aware that there has been any deterioration, but I am of the opinion that the knowledge of the vernacular is not in many cases adequate. The reasons seem to be the increased use of English in official business by Indians, and the enormous increase of office work. In Bengal, the fact that until lately officers were liable to transfer to Orissa, Chota Nagpur and Bihar, where Bengali is not spoken, has naturally led to difficulties in the way of acquiring an adequate knowledge of Bengali. This defect will now be remedied very largely, as Bengali is practically the only language spoken in Bengal as at present constituted. Improvement might be attained if (i) there were a thorough grounding in grammar and the literary language during the period of two years' probation in England question (43); (ii) special measures were adopted to teach the colloquial language on the arrival of junior civilians in India question (60.) The new rules for the encouragement of study in Oriental languages should also help to remove the defect.

11343 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages and, if so, what changes?—The new rules are adequate.

11344 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose?—A reversion to the syllabus of 1891 and to a two years' probation will give all officers a thorough grounding in the principles of law. This knowledge should be supplemented in India by practical experience during the earlier years of service. No alteration is required in this respect in the existing practice. For the officer who chooses the Judicial Branch a change should be made, however, about the sixth or seventh year. A certain number of officers might be employed as Munsifs and Sub-Judges, and the best of these, who are selected for service in the Judicial Branch, should be allowed study-leave in England. Such leave might be added to the first period of furlough. I am not sufficiently acquainted with the Law Courses in England to say what course of study is most suitable. The officer undergoing this training should receive an allowance of say £150 a year in addition to his furlough pay *plus* all expenses on account of fees.

11345. (68) Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—The training might be the same, unless the Indian officer were posted to a province where his native language is spoken. In that case the special training in the vernacular might not be necessary, but I am aware of several cases where Indians who have returned from England know little or nothing of their own vernacular.

11346. (72) The present theory underlying the conditions of service in the Indian Civil Service is that (*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per mensem is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating, with practical permanency, in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—This system seems suitable.

11347. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill, with practical permanency in the ordinary course of promotion, charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The arrangement seems generally suitable, but I would not prevent an officer from officiating in a higher post, if he is fit for it, and thus drawing pay at a higher rate than Rs. 1,000 per mensem, even though he may be under eight years' service.

11348. (92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—There is discontent in regard to the present pay and grading of the Service on the executive side. The value of the rupee has deteriorated, the cost of living has doubled or even trebled in India, the standard of comfort has risen throughout the world. Moreover, the pay of other Services has been raised. It is much more difficult now than it was formerly for an officer to maintain a suitable official position, and at the same time to make a proper provision for his family. The raising of the age of entry has accentuated the difficulties, since married men at the age of 30 now receive less in the way of salary than was received when the age-limit was lower. Moreover, the great advance made by Indians in education and social matters has tended to increase the public and private calls on officers holding responsible positions. Bengal especially is an expensive place to live in. There are few healthy districts, and officers must anticipate the necessity of an increase in doctors' bills. It is not necessary to labour these points, which are matters of common knowledge. Sufficient has been said to show that there are substantial causes for discontent. The grading and pay of the Collectors in Bengal is open to serious objection, not only when compared with the grading in some of the other provinces, but when compared with the grading of the Judicial Branch of the Service in Bengal itself. The grading is as follows:—

Madras.	Bombay.	Bihar.	Assam.	United Provinces.
Rs.	Rs.	Rs.	Rs.	Rs.
7 on 2,500	13 on 2,325	9 on 2,250	6 on 2,250	19 on 2,250
14 on 2,250	13 on 1,800	10 on 1,800	7 on 1,800	21 on 1,833⅓
6 on 1,800	1 on 1,500	10 on 1,500	6 on 1,500	10 on 1,666⅔

Punjab.	Burma.	Central Provinces.	Bengal.
Rs.	Rs.	Rs.	Rs.
10 on 2,250	12 on 2,230	8 on 2,250	12 on 2,250
11 on 1,800	13 on 1,800	12 on 1,800	13 on 1,800
13 on 1,60	15 on 1,500	14 on 1,500	14 on 1,500

In Bengal, in 1881, the grading was 15—15—6. On the judicial side the grading and pay are as follows:—

	Rs.
Three on ...	3,000
Fifteen on ...	2,500
Fifteen on ...	2,000

The Collector has, generally speaking, more social duties to perform than the Judge, and his expenses are proportionately heavier. The last officer in Bengal in the list of second-grade Judges drawing Rs. 2,500 has 18 years' service, while the last officer in the second grade of Collectors drawing Rs. 2,250 has 20 years' service.

11349. (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—See answer to question (92).

11350. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province and, if so, what?—There is dissatisfaction in Bengal in regard to the grading of Collectors, which is much worse than in some of the other provinces, and it is also felt very strongly that officers in Bengal should be treated more liberally on account of the notorious discomfort of district work. The recent partition has left Bengal with no really good districts and very much more than its share of bad ones. Similarity of work, if such a thing is possible, should not be the only criterion in fixing pay. A Civilian of the United Provinces, who is now serving in Bengal, tells me that he has often tried to secure a transfer back to his old province although his salary in Bengal is at present higher than what he would be drawing in the United Provinces. His reasons are cogent enough—(i) lack of amenities in Bengal, (ii) unhealthiness of the climate, (iii) the great increase in the cost of living. Theoretically the pay should be at least the same as it was before the depreciation of the rupee, but in any case there is ample ground for the grant of extra allowances in Bengal.

11351. (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished and, if so, under what conditions? Should such abolition apply to officers already employed, or be restricted to future entrants?—Exchange compensation allowance was introduced for officers who are under the necessity of making regular remittances to England for the maintenance of their families. The value of the rupee is now fixed at one-fourth, but this does not alter the fact that exchange value has declined since 1870, and has automatically produced a substantial and serious reduction in the sterling value of salaries, and any further reduction by the withdrawal of the allowance is undesirable, as it would impair the attractiveness of the Service and entail a consequent risk of reduced efficiency. If the allowance is withdrawn, there should be a full corresponding increase in salaries.

11352. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—A time-scale is unattractive. Such a scale may be suitable for a Service of uniform ability, but is opposed to the principle of a Service recruited for superior posts. Promotion to the higher grades is determined by merit, not by length of service, and a time-scale might conduce to indifference and inefficiency. The system of officiating promotion is in a sense a sort of time-scale. These objections would not apply to the training period—up to eight years' service—but the present grading of the inferior posts seems equally suitable.

11353. (104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—The arrangement is suitable.

11354. (108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—It appears that a certain proportion of officers takes a maximum of furlough allowable, and it is not desirable that the amount permissible by the present rules should be reduced. An officer should always have sufficient furlough to allow him to keep a reserve in hand against emergencies. Any change whereby an officer might commute furlough on half pay to half the period on full pay is to be deprecated.

11355. (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The minimum of £500 is suitable, but there seems to be no valid reason why the allowance of half pay should be subject to the maximum of £1,000.

11356. (112) Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—Some of the leave rules are complicated and inelastic, especially such as prevent the combination of ordinary leave of various kinds, and prevent the grant of furlough within 18 months after privilege leave if more than six weeks has been taken, or within three years after a previous furlough or until the completion of eight years' service. All leave which stands to an officer's credit he should be allowed to take, subject, of course, to the claims of the public service.

11357. (114) In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service and, if so, how can this difficulty be met?—Greater elasticity in the rules as already suggested in question (112) would in some cases prevent transfer, since an officer leaving an officiating appointment, say, as a Commissioner, three months before he could take leave, would have to turn out the Collector who was acting for him. If the rules were less rigid the officer might take leave at once, and thus one transfer, if not more, would be avoided.

11358. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—It is difficult to answer this question without knowing the contemplated scale of pensions. The system of equal pensions for all officers is one of the greatest attractions of the Service, and I see no reason why the present system of giving all officers £1,000 a year should be altered. It may be argued that high officials like Lieutenant-Governors should receive increased pensions, more especially as such officers after 35 or 40 years' service may have actually contributed the full actuarial value of their pensions. But during the period of holding high office they have received high salaries, and such salaries are their own sufficient reward. I take it the principle on which the fund was established is that all subscriptions paid by an officer should be paid for the benefit of the fund as a whole and not for his own benefit. On these grounds, I think the pension should remain fixed at £1,000 for all. This system has solid advantages, as it promotes retirements at a comparatively early age by the assurance of an adequate retiring pension. There is, however, a certain amount of dissatisfaction among senior men, who may feel that they are helping to make up deficit contributions of men who retire early, but any alteration would seem to involve a change of principle. With regard to the suggestion of a non-contributory system of pensions varying in amount with the amount of salary drawn at the time of retirement, it is difficult, as I have said, to express an opinion, but it seems clear that such a system might in many cases cause a serious block in promotion, as an officer who, say, draws pay at the rate of Rs. 2,250 per mensem and is passed over for promotion will at the time of his retirement draw no more. He will therefore be compelled to remain in Service much longer than he would do under the present system.

11359. (122) Do you consider that a similar system should be applied to the cases of high Executive officers and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I would adhere to the limit of £1,000 in all cases.

11360. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. There should be strict selection for high appointments, and inefficient officers should be retired on reduced pensions. But compulsory retirement is a drastic measure, and there should be safeguards against personal dislike or bias. No officer should be called upon to show cause against his compulsory retirement by any Local Government until that Government has placed the facts before the Government of India and has obtained their previous sanction to the course of action contemplated. And of course all officers should be given a full opportunity to be heard in their defence. A definite scale of proportionate pensions should be adopted as a standard. The scale might be the same as that for retirement on medical certificate. See answer to question (125).

11361. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Compulsory retirement on the ground of ill-health is usually due to no fault of the invalided officer himself, and I do not see why he should be penalized on account of his breakdown, especially when that occurs towards the end of his service. The present maximum of medical pension is £700 after 25 years' total service, of which less than 21 years has been active. The amount of the annuity becomes, as the officer advanced in the Service, considerably less than a full proportionate pension.

The following scale seems more appropriate:—

Less than 5 years £500 (as at present).

Afterwards for each year an annuity of £150, £180, £210, £240, £270, £310, £350, £390, £430, £470, £510, £550, £590, £630, £670, £725, £780, £835, £890, £945.

11362. (129) Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—A widow of an officer will receive for an orphan son the following pension:—

From birth to the age of 6 ...	£25
From 6 to 12	£50
From 12 to 21	£100

The pension stops too early, and should go on to 24 to enable a widow to give her son an adequate education so that he may follow, if he so wishes, in his father's footsteps by having the means to qualify for the Service. The increased cost should be met by the reduction of the pension at the earlier stages or by increasing the subscription.

11363. (130) In particular, do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—On general grounds, I would object to differences of treatment of Indian and European members of the same Service in this matter, but differences in social customs may make it inadvisable to include Indians in the existing scheme. The remarriage of Indian widows is uncommon. Indian girls marry at an earlier age than European girls. There is also probably a very large difference between Indian and European life statistics. These considerations and their effect on the funds must be carefully examined. The matter is still further complicated by the fact that some Indians have married European wives. According to the custom of the country the relatives of an Indian Civil Servant would usually make adequate provision for his family. If, however, these difficulties, which are chiefly actuarial, can be overcome, and if the inclusion of the Indian officer can be arranged on such terms as would not throw an undue burden on the Fund to the disadvantage of European officers, there seems no reason why the benefits of the Fund should not be extended to Indians. But it seems unnecessary to complicate matters, and it might be a simpler solution of the problem if Government fixed the subscriptions from Indians in accordance with the Uncovenanted Service Family Pension Fund rules, and increased the benefits derived from the Fund, by contributions similar to those given to European members of the Civil Service.

11364. (132) If you do not approve of their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—See answer to question (120). On the whole, a separate Fund for Indians seems better.

Mr. W. S. Milne called and examined.

11365. (*Chairman.*) You are a Junior Secretary of the Board of Revenue, are you not?—Yes, that is my designation.

11366. And I believe you have had twelve years' service?—Yes.

11367. What positions have you occupied during the latter part of your service, say, the last six years?—I was Under-Secretary for some time, and after that for about three years and nine months I was a private Zemindar, and I have been in my present billet since last August.

11368. You say you are in favour of continuing the present system of open competition for the Indian Civil Service with certain amendments of detail, one of which is the holding of a *vivâ voce* examination in all possible subjects?—Yes.

11369. Could you tell us a little more clearly what you mean by that?—I understand at present that the only *vivâ voce* is in modern languages, and I would much prefer if we could have something like the *vivâ voce* examination in the Oxford Greats in which a man is taken more or less through the whole curriculum.

11370. You think that such a scheme would provide a more effective test?—I think so.

11371. Would there not be a certain amount of practical difficulty in carrying it out with so large a number of competitors and so many subjects?—There would be that practical difficulty, I admit.

11372. You are opposed to simultaneous examinations?—Yes.

11373. And one of your objections is that school and college life in India cannot turn out men acquainted with modern methods of Government in the same way that school and college life in England can?—That is so.

11374. Will you elaborate that opinion?—I do not think that school life in India, which I know, can at all compare with the school life at home, where boys, at not a great age, get a certain amount of control over other boys and learn the way of managing boys, which I think is an exceedingly valuable thing. As far as I know, that does not happen in Indian schools. I say very much the same with regard to college life. Here we have nothing resembling the life at Oxford or Cambridge where there is the real residential system. I do not think you can get in India all that knowledge of the world and way of dealing with men that you can get from education in a college at home.

11375. Would you be opposed to the establishment of a separate examination in India as distinct from a simultaneous examination?—Yes, I think I should.

11376. What would be your objections to that?—I am not sure whether the standards would be the same.

11377. A separate examination with the same standard?—My objection to that would be that, I take it, it would be entirely confined to Indians, and they are not really the type of men who have been trained in European methods.

11378. Would you entertain the same objection if facilities were given to Indians to go and obtain that education in England, either before or after passing the examination in India, prior to their entering the Service?—I think it would depend on the age. I do not think you can learn the European spirit by going home after passing an examination out here, and spending, say, two years in Europe. It is a thing that must be imbibed gradually.

11379 Would you say that those Indians with whom you have come in contact, men who have passed through the open competitive examination, have, to any effective degree, imbibed the European spirit?—Amongst the men of my acquaintance I know some members of the Indian Civil Service who have spent a good deal of their time at home and passed out there, and I know one or two instances in which men have taken their degrees here and gone home for a year or two and then passed into the Indian Civil Service through the open competitive examination at home, and I think the former class have imbibed more of the spirit to which I refer.

11380. And that is a spirit which you think is necessary for good administration in India?—Yes.

11381. You say also that simultaneous examinations would necessarily involve the withdrawal of a large number of appointments given to the Provincial Civil Service. Do you consider that that would be inevitable?—Not absolutely inevitable.

11382. You do not regard it as impossible to have an examination, whether it be separate or simultaneous, and at the same time to retain a certain number of listed posts for the Provincial Civil Service?—I am strongly in favour of listed posts for the Provincial Civil Service.

11383. The question is not whether you are in favour of the listed post system but whether the institution of simultaneous examinations would necessarily involve the withdrawal of a large number of the listed appointments. I gathered you meant that the listed post system might have to be abolished if simultanious examinations were started?—Yes. The idea in my mind was that you would get men out here without European training, men who would be more or less of exactly the same class that now get into the Provincial Civil Service and attain to listed posts, and there would be no very good reason why there should be this distinction. The same men who get the listed posts would have their chance in the simultaneous examination.

11384. Would you regard the abolition of the listed post system in those circumstances as detrimental to the Indian administration?—I should not like to say outright anything about that. There might be a certain feeling of injustice among the men who were already in the Provincial Civil Service.

11385. You say that the Natives of one part of India are not well fitted to discharge the duties of Civilians in other parts. In the course of your experience have you come across Indian Civil Servants who have been appointed to provinces to which they did not belong by birth?—I have.

11386. What impression has been made on your mind by their administrative work?—I speak not so much from the point of view of an official as of a man who has been round the districts, who is more or less a non-official, which I was in my capacity in the Tagore Estate, and I think the impression among the people was that they would have preferred a man of their own race.

11387. You have come across officials in Bengal who were not Natives of Bengal?—Yes, but I would rather not name them.

11388. I do not ask you to name them; I am only asking an abstract question?—I have come across such instances; I will put it at that.

11389. You recommend that Indians and Europeans alike should be sent to universities for a course of training and you would prefer Oxford and Cambridge?—Yes. I am afraid I am prejudiced in favour of those Universities.

11390. Possibly it is a personal prejudice?—It is absolutely a personal prejudice, I think, except that if I err I should err with Dr. Jowett, who considered that there is a *genius loci* about these places which you cannot get elsewhere.

11391. There are advantages there not to be found at other universities?—Not to be found at some of the other universities.

11392. Would you say that the same encouragement to students is being given by those two universities as is given in some non-residential universities to-day?—I have no particular knowledge of what has happened in the last few years in that way.

11393. I suppose when you entered the Service you came in on a single year's probation?—Yes.

11394. Do you look back upon that year as having been useful to you?—It was not very useful

11395. Did you feel that the work which you had entered upon was not complete at the end of the year?—I certainly felt that there was not enough of it.

11396. Therefore you regard one year as too short a period of probation, and two years as about the right time?—I should have preferred two years and a longer and more thorough training.

11397. In answer to question (92), you give the grading and pay of the Collectors in Bengal, and say that the position is much worse than in some of the other provinces. What other provinces do you allude to?—Bombay, for instance, as compared with Bengal. There is 1 man in the third grade there and 14 in Bengal.

11398. I will not ask you questions with regard to what your alternative would be, as I daresay you have not thought that matter out?—I have not. I have just made a suggestion here.

11399. In answer to question (112), you say you object to the rules which prevent the grant of furlough within 18 months after privilege leave?—Yes.

11400. Have not arrangements recently been made to enable furlough and privilege leave to be taken in combination?—Yes.

11401. So that the difficulty, to which you refer, has been overcome?—I am only referring there to a case in which you have only taken privilege leave and you want to take furlough within 18 months of that.

11402. Have not arrangements been made now to meet this?—I understand arrangements have been made to alter the leave rules, but I have not seen the orders.

11403. (*Lord Ronaldshay.*) How long have you occupied your present position as Junior Secretary to the Board of Revenue?—Since the 26th of last July.

11404. Has that post been held by an Indian member of the Service in recent years?—Yes.

11405. Was it not held for a considerable time by an Indian, from 1905 to 1910?—By a Provincial Service man. I think there have been three Provincial Service men in the post in the last few years.

11406. Do you know whether a wish was expressed by the members of the Board for the appointment of a Civilian instead of a member of the Provincial Civil Service?—Yes, one of the members himself told me so.

11407. On the ground that they had not found a member of the Provincial Civil Service was rendering altogether satisfactory service in that capacity?—Yes, that was what I was told.

11408. Have you heard it said that the reason why Indians have not proved to be satisfactory officers in secretarial posts is that they have not had opportunities of training in that particular class of work?—The Civilians have had no opportunities either.

11409. But it has been represented to us that Indians have not had adequate opportunities of training in secretarial work, and that that is one reason why they had not proved to be satisfactory officers in secretarial posts. Have you heard that?—I have never been absolutely told that by any Indian.

11410. Do you happen to be aware that the Bengal Government have instituted a scheme, which I think has been in operation for about two years, under which, as I understand, two or three junior members of the Provincial Service are employed for five months during each cold weather as Assistant Secretaries in the Secretariat Department?—Yes, there are several men doing that work now.

11411. The object of that, I suppose, is to give these men every opportunity of becoming trained for this particular class of work?—I suppose so; it could not be anything else.

11412. That being so, it would be entirely wrong to suggest that the Government in this country were anxious to keep Indians out of secretarial posts, would it not?—That would be the conclusion.

11413. Obviously, if they are setting up a system for training these men for that work, their desire is not to keep them out of secretarial posts but to train them in order that they may secure a sufficient capacity to discharge the duties of those posts satisfactorily?—I think that is the obvious conclusion.

11414. In your answer to question (119), you deal with the vexed question as to whether the pension of a retiring officer should be a uniform pension at the rate of £1,000 a year, or whether it should be to a certain extent graded, that is to say, whether men who have served beyond their twenty-five years and held high positions should be entitled to a higher pension when they retire. You admit the force of the argument that high officials like Lieutenant-Governors should receive an increased pension, more especially as such officers after 35 or 40 years' service may have actually contributed the full actuarial value of their own pensions?—I think there is great force in that.

11415. Then you go on to qualify it by saying that these men have of course received high salaries, and that such salaries are their own sufficient reward. But does it not occur to you that if these men received high salaries, they have rendered service for those salaries? They have not received high salaries as a sort of present from the Government, but they have received them because they have been discharging very responsible and difficult duties?—Quite so.

11416. So that that qualification of yours does not seem to me to be of very great weight?—No, from that point of view it has no weight; but my point of view is that if there is to be £1,000 for everybody, it is an attraction to the Service. Therefore they cannot claim, on my theory, that an equal pension is a valuable thing, that they ought to have a higher pension just because they have occupied higher posts.

11417. But could not they say they ought to have a higher pension because they have paid more towards it and have a very much shorter time in which to enjoy it?—Yes, they might say that.

11418. A man who retires after 35 years' service will have 10 years' less in which to enjoy his pension than if he retired after 25 years' service?—Clearly.

11419. At the same time he will be contributing a very much larger sum towards his own pension?—Certainly.

11420. Therefore there seems to be a reasonable ground for the contention that men who have occupied these high positions after very long service should draw a rather higher pension?—There is a lot of force in that.

11421. You rather object to any differentiation in the amount of pensions on the ground that one of the chief attractions of the Service to-day is the uniform pension of £1,000 for everybody?—Yes.

11422. But surely the Service would not become less attractive if you still got the minimum of £1,000 for everybody and gave a little more than £1,000 to those who rendered particular service?—That is true.

11423. So that your grounds for objecting are not very strong?—Not at all strong.

11424. (*Sir Theodore Morison.*) With regard to your recommendations about the period of probation, you recommend a period of probation of two years, and in your scheme the men are caught in a competitive examination at about 23?—Yes.

11425. During which most of them have passed through the university?—Yes, I should think most of the men would have got their degree then.

11426. Or, even if they had not taken their degree, they would have been reading for a number of years?—Yes, I should think so.

11427. Under those circumstances what is the advantage to them of going back again to the university? They have had all the benefit of the university, have they not?—They have.

11428. Do you think, as a university man, that the men, who have a fourth year or fifth year, or even a sixth year in the case of Greats, are any better than the ordinary men?—The only advantage I got out of my fifth year was that I got to know men I had not met before, men who were coming into the Service, and that I think is valuable.

11429. It is something at any rate?—Yes.

11430. On the other hand, are there not considerable disadvantages in this prolonged stay in a university, especially as a training for a profession? For instance, is the study of law an important thing at the university, and can you ever make it as important as the other studies?—No; I do not suppose you can get as good a practical training in law at Oxford as you can in London.

11431. Or Oriental languages?—I should say that is quite as good at Oxford from what I remember.

11432. Even if they have a school of Oriental languages in London?—That was not there in my time.

11433. These subjects of Indian study are rather side-shows at the university, are they not?—Roughly speaking that is true.

11434. And you stayed on with your own friends engaged more or less in your own interests?—Yes.

11435. And I should have thought that it was an accepted University doctrine that the value of residence at Oxford or Cambridge diminishes very rapidly after three years?—That is true, I think.

11436 And you can give the professional training elsewhere as well or perhaps better?—One is rather leaving out the men who have been to a university.

11437. The men who have never been to Oxford or Cambridge would lose?—Yes.

11438. But the great bulk of them are Oxford and Cambridge men already?—I do not know the figures.

11439. We have heard that men are tired of examinations and of special teaching by the time they have passed through the competitive examination. They may probably have had examinations when they left school, when they enter the university, and scholarship examinations, and Greats, and the Tripos, and the competitive examination, and they are about "fed up" with examinations, and want to get to their practical work. Was that the experience of the men of your generation?—Yes, I have heard men express it. I did not feel it particularly myself.

11440. Even if you did not feel it particularly, do you think there is something to be said for that?—I think there is something to be said for that, certainly.

11441. To that extent it is a drawback to a longer probation?—It is.

11442. You think it is sufficient to be weighed in the balance?—I think it is something to be considered.

11443. (*Mr. Chaubal.*) I believe you came to this country about twelve years ago?—Yes.

11444. Did you come straight to Bengal?—I was posted to the Province of Bengal; I went to Orissa.

11445. When you first came, were you able to talk to the Indians in Orissa?—No, I had not learnt the language at all. I had learnt Bengali.

11446. Have you met any Indians in your province, going about in the streets or in the villages, whom you were able to talk to in their own vernacular when you first came out?—Certainly in the beginning I could have made myself understood, I hope, in Bengali.

11447. When you first went to Orissa?—Yes. Immediately after I joined at Calcutta, I was posted at Cuttack where Ooria is spoken, and I had not learnt Ooria.

11448. When you came out fresh, were you able to speak to the people in their own language and understand their vernacular?—Very badly, I am afraid. I could not have spoken Bengali very well or understood the people very well, but I might have just managed to get on.

11449. What society did you move in when you first came here, European society or Indian? What was the social environment in the first three years, European or Indian?—For the first one and a half year I was in a headquarters station.

11450. I mean this: out of your office hours could you say that you had anything but a European environment about you?—I toured the country and got into the villages.

11451. What I really want to know is amongst whom you were moving socially?—I do not quite understand the point about socially.

11452. My question is whether, when an Englishman first comes out into any province of this country from home, he forms his ideas about the people and their ways of living and their manners and customs from Europeans or from the people themselves?—From the people themselves.

11453. Not from the European friends and acquaintances amongst whom he actually moves first?—To some extent you are bound to take your opinions from them.

11454. I do not know that you are bound to do it?—That is the tendency I think, but it is a tendency which I hope each man will correct for himself.

11455. I do not quite understand how much you can have got from direct conversation, when you could not speak to the people themselves in their own language?—That soon remedies itself when you go about the villages. Within six months I think I could make myself quite understood.

11456. Do you mean to say that an Englishman, after being out here for six months, is able to speak freely to the Indians and understand them in any vernacular?—I should say it is not at all impossible.

11457. Did you do it?—I hope so. I passed the test.

11458. I suppose the opinions you have expressed in your written answers are based on what you have heard since you came out to the country. In answer to question (27) you say, "The general opinion is."—That is an opinion I have gathered in the course of my experience.

11459. Was not that the opinion you heard when you first came out?—No.

11460. You never cared to enquire about an opinion held by Europeans on that point?—Yes, I discussed it.

11461. Did you hear a different opinion from the one you have given now?—No, I have never heard a different opinion from members of my own Service.

11462. So that that is the opinion which was first given to you by men in your own Service, and that is the opinion of your Service generally, practically speaking?—It was not given to me by the men in my own Service at the beginning. Naturally, coming in contact with men of my own Service, I got to know their ideas, but it does not follow that I assimilated their ideas without thinking for myself.

11463. Do I understand that you have had Indian Civil Service men serving under you?—No.

11464. Have you not had Indian Civil Service men, Natives of India, serving under you?—No.

11465. Then you are not speaking from any personal experience of any Indian Indian Civil Service men?—I am afraid my position has been rather misunderstood.

11466. My simple question is whether the opinions you have given there are based on your own individual experience or obtained from Indian Indian Civil Service men who have been serving under you or with whom you came into direct contact?—No Indian Indian Civil Service men have served under me, but I have come in contact with them.

11467. Is it from that contact that you formed this opinion?—Yes, that is one of the ways in which I formed that opinion.

11468. We have been told here by you and other witnesses that a European officer is far superior to an Indian officer on account of his administrative capacity, larger powers of initiation, superintendence, etc. Now let us take them one by one. During your twelve years' service, will you kindly tell me what original things you have initiated in any department in which you have served?—That is a terrible question!

11469. The Natives, you say, have not the power of initiation, and I should like to get from a man of twelve years' experience what things he has initiated either in the Revenue Department or the Judicial Department or any Department of the Administration?—I think you rather mean what big things?

11470. Big or small?—Small things one cannot take account of and remember, but there are a number of things which a man initiates.

11471. Can you mention to me anything which you would say an Indian in your place would not have been able to initiate, and which you, because you are an Englishman, were able to do?—It is a very hard thing to say, but perhaps I can give you a personal instance.

11472. It is a very hard thing to say no doubt, and of course it is very hard to say what you have said here. Therefore it naturally occurs to me to test how far what you say is based on facts?—My experience has been rather peculiar as you know. For nearly four years I was a Zemindar, that is, I was a landlord. I was put on foreign service and held no position whatever as a Civilian. I was simply put in to manage a big estate.

11473. Is that anything like a Zemindari Settlement Officer?—This was not a Government post of any kind. The Government took over the management of an estate. It was not a Court of Wards, or anything of that kind.

11474. I am speaking only of Government service and initiation in the Government service in the different departments in which you have served?—That is not what my opinion is based upon. I am basing my opinion on my experience, which I have admitted, is not experience of Indians in Government service.

11475. The question is put with regard to Indians filling posts under Government, and with regard to the performance of the duties attached to those posts, and the point is, how the work of Indian Civilians compares with that of English Civilians. Speaking only from your service as a Government servant—I do not want to know your experience as a Zemindar—I should like to know what things you can point to distinctly in your twelve years' service which you have done which you think an Indian was not capable of doing or would not have done had he been there?—In the Government service? I would not like to answer that question at all.

11476. Have you had any experience of the judicial line?—No.

11477. May we take it that your answer to question (27) does not relate to that half of the Service?—No, when I wrote that answer I had in mind purely the executive side.

11478. So far as the Judicial Branch is concerned, if this Commission is told that Indians perform the duties of Judicial officers equally well, if not better, would you have any objection to having those posts filled by Indians?—Personally, as I say, I have no experience, or very little experience, as an official, of the work of Judges, I have a certain amount of experience from the other side as a non-official, as a Zemindar, both of the work of Subordinate Judges, Munsifs and Judges, but I have no experience as an official.

11479. You have no experience of the Judicial Department and therefore my question proceeds on the assumption that what certain witnesses have stated before us you will assume to be true, that Indians have been found capable of discharging the duties of Judicial officers equally as well as, if not better than, European Indian Civil Service men. In that case, would you have any objection to a modification of the schedule of posts so far as those officers go?—If in every possible way Indian officers can perform the duties on the judicial side which are now performed by European officers, and they are the equal or superior in every possible way, then my answer to your question is "Yes."

11480. You did some magisterial work when you first came out here, did you not?—Yes.

11481. When you took up magisterial duties, had you all that grounding which you advise in an answer to one of the questions?—No, I do not think I knew as much about law as I might have done. I had to learn the work; it was hard work, but I learned it.

11482. I suppose everyone must, more or less, learn by making mistakes?—Certainly.

11483. And therefore when it is said that an Executive officer or Judicial officer after 12 or 14 years becomes an able officer, we may take it that in becoming so he must have committed mistakes in his earlier career?—I would not like to say that committing mistakes was the one essential to success.

11484. (*Mr. Gokhale.*) I will not put any questions to you with reference to simultaneous examinations, because similar opinions to those you expressed have been already expressed by other witnesses; but I should like to know what you mean by one or two things which you say. In reply to question (27) you say, "The general opinion is that Indian members of the Service are not so efficient as European members." What do you mean by "general opinion"; whose general opinion?—The opinion of the people.

11485. Do you mean the opinion of the people of India?—The people of India.

11486. If you found Indians of position coming here and saying that in their opinion Indians were as efficient members of the Civil Service as European members, what would you say?—That qualification determines the whole of my answer.

11487. Take a man like Mr. Sinha, who stated here yesterday that in his opinion Indian members of the Indian Civil Service were fully equal to English members of the Indian Civil Service?—I should ask Mr. Sinha how many districts he had toured in in Bengal and how many *raiyats'* opinions he had asked.

11488. Do you mean to say that you know the opinions of *raiyats* in Bengal better than a man like Mr. Sinha who has spent all his life in Bengal?—I will not say that, but I think it is possible I have been in more villages than Mr. Sinha.

11489. And you have mixed amongst the *raiyats* and have found out their opinion about the Indian members of the Civil Service?—I have discussed it with every shade of people, from Maharajas to *raiyats.*

11490. You say that few become Commissioners and still fewer have been found suitable for Secretariat posts. I believe it was stated this morning that a man takes about 22 or 23 years' service before he reaches a position when he might be appointed Commissioner; is that so?—I think that is about right.

11491. Can you mention how many Indian Civilians in the Indian Civil Service have so far attained this seniority in Bengal?—I could not say off-hand.

11492. I put it to you that only four Indians attained that seniority through all these years. I believe I am right in saying that there have been only 23 Indians in the Indian Civil Service so far, including the present men; is that so?—I cannot say.

11493. Can you give me roughly the number of Indians in the Indian Civil Service in Bengal to-day, excluding Bihar?—I think it is about sixteen.

11494. I understand it is fourteen. Three have gone to Bihar and I understand five or six have retired; so that about twenty-three Indians have been in the Civil Service up to now, and out of that number I understand only four ever attained the seniority that was necessary to become Commissioners. These are the facts which have been supplied to me. Do you know if the number is more than four?—No, I do not know the figures at all.

11495. If the number is four, and if one of them was appointed Acting Commissioner for one or two years, and then retired before the time came to fill the vacancy permanently, if another became Commissioner and was appointed to the Board of Revenue, if a third was appointed Excise Commissioner and Postmaster-General, and the fourth acted as Commissioner once or twice, do you still think that few Indian Civilians have become Commissioners?—Only one became a *pucca* Commissioner. Of course I cannot go into any reasons, because I do not know the men.

11496. The first man was not superseded, so that there can be no question about his merits. He retired as many English Civilians do: as soon as a man earns his pension he sometimes retires, does he not?—Yes.

11497. He does not always wait to become a *pucca* Commissioner?—That is so.

11498. If a man acted as Commissioner for a year or two and retired, that would not be a point against him?—No.

11499. Out of four men who attained seniority, one became permanent Commissioner, one retired as Acting Commissioner, one was Postmaster-General and Excise Commissioner, and the other officiated as Commissioner and retired. Do you think that among the English members of the Indian Civil Service the proportion of Commissioners would be higher than that?—I would not like to put in the second one as a Commissioner. You say that No. 2 retired when acting as Commissioner. I should like to know the reason why he retired.

11500. Because he had earned his pension. I will give you his name—Mr. Dutt, a very well-known and distinguished man here. He retired because he had earned his pension?—Whatever the reason may be, by "Commissioner" I mean a permanent Commissioner, a man who stayed on and did the work of a Commissioner.

11501. Do you think that that is an unsatisfactory record?—No, it is certainly not an unsatisfactory record.

11502. Do you think that the English record would be better than that, the average record? Do you think that there would be as many as one man becoming permanent, one man acting and retiring, the third man retiring as Excise Commissioner, and a fourth man retiring after acting as Commissioner?—That is one permanent man out of four. I am not prepared to answer your question without looking more closely into the Civil List.

11503. How many Collectorships and Commissionerships have you?—About 39 Collectorships and 5 Commissionerships in Bengal.

11504. So that it is necessary some of the men must retire as Collectors without reaching Commissionerships, whereas all these men touched Commissionerships at any rate?—It was a different circumstance in the old days, because there were more Commissioners. The Province was not as it is now.

11505. But there were more Collectors too?—I am not sure about the figures.

11506. In any case, that does not show any inferiority on the part of the Indian Civilians. Now, about the Secretariat. Have any Indian Civilians been tried at the Secretariat in Bengal, do you know?—No, I do not know of a single instance.

11507. If an Indian has not been tried, how are you able to say that the Indians have not been found suitable?—Because I suppose men are appointed by Government impartially.

11508. That is a large assumption. Do you mean to say that a man like Mr. Dutt would not have made a good Secretariat officer, a man with his great abilities and his industry?—I am not in a position to say whether he had or had not all the other qualities of a Secretary.

11509. But there might be other reasons?—That I do not know.

11510. There might be reasons of policy, for instance?—I do not know what the reasons of Government were; I only stated the fact.

11511. You say that as a rule lighter districts are assigned to them. Do you know that that is the complaint of the Indian Civilians, that they are not appointed to heavier districts? Have you heard of that complaint from any Indian Civilians?—I heard it yesterday.

11512. But you have not heard it before?—No.

11513. I think that shows you are not much in touch with Indian Civilians?—I never said I was. I pretend more to be in touch with the people.

11514. But these are your brother officers in the Service and we hear much of the *esprit de corps* of the Service?—I know them all very well.

11515. Do you know that Mr. Dutt was appointed to Mymensingh, Barisal and Midnapore, three of the heaviest districts in Bengal?—That must have been some years ago.

11516. But he was appointed?—I take it from you.

11517. (*Mr. Sly.*) I understand that for some three or perhaps four years you were taken out of the ordinary line of the Civilian's work and received a special appointment as manager of a Zemindari estate, outside Government altogether?—Yes, it was a private estate. There was a loan to pay off and I was put in to manage the estate absolutely with a free hand.

11518. You were the manager of a private estate?—Yes, the proprietorship still vested in the Maharaja.

11519. Was that a large estate?—It was one of the biggest in Bengal.

11520. Was it scattered over a considerable number of districts?—15 or 16.

11521. In that capacity you saw from the outside a considerable amount of the work of Civilians and other officials of Government?—A very considerable amount.

11522. And it also gave you exceptional opportunities of being in close touch with the actual *raiyats* and cultivators of that estate?—Yes.

11523. Therefore the opinions you have given have been formed largely on those exceptional conditions?—Yes.

11524. Have you made a special study of the Bengali language at all?—Yes, I have.

11525. And without undue laudation, can you say your knowledge of the Bengali language is exceptionally good for a Civilian?—I am told so.

11526. I think you took the High Proficiency degree in Bengali?—Yes.

11527. Are you acquainted with Bengali literature?—Yes, I have read a good deal of Bengali literature.

11528. From your knowledge of Bengali literature, can you tell us whether you think that Bengali would be a suitable subject for inclusion in the open competitive examination of the Indian Civil Service, an examination subject which would give as good a liberal education as the study of one of the modern European languages?—No, I do not think it quite would. There is a very wonderful Bengali literature on the literary side, but on what I might call the scientific side there is not very much as far as I know. I think the culture would be rather limited; it would be a very excellent one, but it would be purely literary.

11529. In your answer to question (92), you have compared the pay and grading of the Collectors in the different provinces. Do not you think that, in the consideration of that question, it is necessary to take into consideration also the area, population, land-tenure and the general difficulties of administration in those particular districts when you draw a comparison between the two? If one province had very small districts with a comparatively small amount of work, and another province was found to have very heavy districts with a much larger amount of work, in which the officers did not get promotion until a considerably later period than in the first province, would not you take those facts into consideration?—Yes, I think the amenities of the place and the difficulties of the work ought to be taken into consideration, but I am not sure that I would remedy the thing by making any difference in grading. I am not sure whether I should not do it by local allowances.

11530. You have made some complaint about the superior grading of the Judicial Department. Was not that superior grading introduced expressly in order to induce officers to také up the judicial line, that is to say, to attract men to the Judicial Service?—I have heard that was the reason.

11531. Do not you think that even at the present time it would be necessary to maintain the judicial grading at a higher standard for the same reason?—The conditions have altered a great deal in Bengal, and I think there are other considerations which now attract men to the judicial.

11532. The unpopularity of the judicial as it was once called, is very much less than it used to be?—I think it has become the unpopularity of the executive. The pendulum is swinging the other way in Bengal.

11533. (*Mr. Abdur Rahim.*) Do you know that there is a very large body of barristers in Calcutta?—Yes.

11534. Do you know many of them yourself?—A very great number.

11535. I suppose you know that the Indian barristers are very successful in their profession?—Some of my Indian barrister friends are not, I am afraid, but of course some certainly are.

11536 As a body they are very successful men?—No, I would not go so far as to say that.

11537. Are not Indians successful in the profession of law generally?—How would you test success: what is the criterion?

11538. The same test as in any other walk of life?—Money-making?

11539. That is a very essential test, is it not?—I should not say they were very successful men as a whole. I know of many who have worked a good number of years and are not making a very good living.

11540. Of course you know in the profession of law even in England there are a very large number who do not make any living at all?—Quite so.

11541. In India, it is not an exception, is it?—No. If you are going to judge of success by making money, I do not think you can say the whole Bar is successful.

11542. I do not say the whole Bar; I say the Indians were successful in the profession of law?—I admit they are very good lawyers, if that is what you mean by success.

11543. Do you think the men you know at the Bar have imbibed the European spirit?—A good many of them have.

11544. Do you know that the profession of law is an entirely European institution, and foreign to India, and I believe to the entire East?—I am not sufficiently an Oriental scholar to say that.

11545. You may take it from me that that is a fact. Do not you think that an entirely European institution has been successful here and the Indians have been very successful in that institution?—There again I do not know what success means.

11546. As advocates they are successful, are they not?—I admit that they are good lawyers.

11547. Good advocates too?—They are better lawyers than advocates I should say.

11548. Do not you think that that shows that the Indians who pursue the profession of law have imbibed the European spirit?—I do not think that a knowledge of the intricacies of law necessarily means that a man has imbibed the European spirit.

11549. (*Sir Murray Hammick.*) In answer to question (60), you say that there are numerous colleges in Bengal at which arrangements could easily be made for giving junior Civilians the required training. Could you say a little more definitely what kind of arrangement you mean?—The idea in my mind at the time I wrote was that it was quite possible to send the junior Civilians, say, three or four, to a district headquarters for their training, say, to Dacca or even to Calcutta, where there are many colleges, in which they could get a really good training in the vernacular. The difficulty I felt wa that in the mufassal there are not very man good teachers of vernacular and it is very diff cult to get an Indian to teach.

11550. (*Mr. Bompas.*) With regard to th question of *vivâ voce* examinations at the entranc are you aware that previous to 1891 there w a *vivâ voce* examination in all subjects at th entrance examination except mathematics?—did not know that.

11551. (*Mr. Mukherji.*) With regard to you answer to question (39), in connection with th listed posts, do not you think that the want success on the part of the Provincial Civ Service men who have been appointed to thes posts has been owing to their having been ap pointed at too late an age and the right kin of man not having been selected?—I thin probably there is something in that.

11552. (*Mr Sen.*) In answer to questio (39), you say that persons selected to fill liste posts are not as efficient as members of th Indian Civil Service?—Yes.

11553. Do I understand from your answ to Mr. Chaubal that your remarks apply only Executive officers?—I was speaking simply fro the executive side.

11554. And not with regard to the Pr vincial Judicial officers?—I have no experien of them.

11555. Do you not think that barristers and vakils are appointed as Distri Judges, it would be prejudicial to the interes of the Provincial District Judges as a cla being recruited from the Provincial Civil Servi and the Indian Civil Service?—You mean th there would be less promotion and fewer posts?

11556. At present no barrister or vak is appointed as a District Judge?—I take it fro you that that is so.

11557. At the present time only mem bers of the Indian Civil Service are appointed the post of District Judge, and also some membe of the Provincial Judicial Service. If barriste and vakils are appointed as District Judges, woul it not be prejudicial to the interests of thes classes of men?—Undoubtedly so, I should thin

(The witness withdrew.)

JAMINI MOHAN MITRA, ESQ., Registrar of Co-operative Credit Societies, Bengal.

Written answers relating to the Indian Civil Service.

11558. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of recruitment by open competitive examination is sound in principle. It is, however, a matter of common complaint nowadays that we do not get the best type of Civil Servants under the existing system. The reasons adduced are—(i) The present age-limit is very high, and even the best men and their guardians do not wish to take the risk of failure at an age when it becomes difficult for a man to qualify himself for other vocations. (ii) The present rates of pay for the Civil Servants are not considered sufficiently attractive, considering the fact that the expenses of living in Ind have gone up. (iii) The conditions of administra tion have greatly changed; and government b persuasion and sympathy, which now prevails i the place of the old parental system of govern ment, does not appeal to the imagination of a ambitious young man.

11559. (2) In what respects, if any, do yo find the present system faulty in detail, and wh alterations would you suggest?—*Vide* answer question (1).

11560. (3) Is the system equally suitabl for the admission of "Natives of India" and other natural-born subjects of His Majesty? not, what alteration do you recommend?—It not suitable for Indians because they have to g to England to appear for the examination, an expenses are prohibitive. The risk of failure, an the difficulty of getting a suitable appointment i the event of failure, deter many qualified Indians from competing for the Indian Civil Service. I recommend simultaneous examination.

11561. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty?—No differentiation is desirable.

11562. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) selection by head masters of schools approved or otherwise; (*b*) selection by authorities in universities approved or otherwise; (*c*) nomination by head masters or university authorities and selection under the orders of the Secretary of State; (*d*) combined nomination and examination; and (*e*) any other method?—I think the present system of recruitment by an open competitive examination is the best.

11563. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty (*vide* answer to question (3)].

11564. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No. I am not in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions.

11565. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I do not advocate a separate examination in India, as it is desirable that all persons should be on a footing of equality so that there might be a feeling of comradeship amongst Civil Servants.

11566. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I approve of simultaneous examination, and I am not in favour of any other system of admission of Indians to the Indian Civil Service. Efficiency, to be determined by open and free competition, ought to be the sole test for admission to the Civil Service.

11567. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I am not in favour of any system for the part recruitment of the Indian Civil Service by "Natives of India" in India otherwise than by a free and open simultaneous examination in India.

11568. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The present system of promoting officers of the Provincial Civil Service to listed posts is very sound. Any other system in lieu of, or as supplementary to, the present system would only mean a revival of the old Statutory system. This will be greatly resented by the members of the Provincial Civil Service and will make them a discontented body.

11569. (13) Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service. If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service, if arrangements can be made for giving the members of the Judicial Branch a suitable training. The method of recruitment from barristers and pleaders proposed in some quarters would only fill the Service with unsuccessful lawyers, and persons with a sense of failure in their profession are not likely to make useful public servants. It will also tend to make the Indian Civil Service a more close body than it is now. An experiment may, however, be made in the direction of the appointment of outsiders to superior judicial posts, and not more than one-fourth of superior judicial posts which would be listed as open to Indians should be reserved for such an experiment.

11570. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I think the definition is satisfactory.

11571. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—I would so fix the age-limit as to attract candidates at an intermediate stage of education, with a possibility of getting candidates who have completed a university course. I would fix the age-limit from 19 to 23, giving every candidate not more than two chances to sit for the examination.

11572. (17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I think, as a class, they compare very unfavourably with those who are now on the top.

11573. (18) What is the most suitable age at which junior Civilians should arrive in India?—Twenty-three to twenty-five (or earlier, if possible).

11574. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives in India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—I would fix the same age-limits for natives of India and for other natural-born subjects of His Majesty.

11575. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854.

11576. (21) Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of university-leaving age?—If the principle laid down by Lord Macaulay's Committee is accepted, there should not be any differentiation between the cases of candidates (*a*) of school-leaving age and (*b*) of university-leaving age. The only change in the syllabus which I recommend is that the same marks should be assigned to Sanskrit and Arabic as in Greek and Latin, and Indian History should be included in the syllabus.

11577. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—No differentiation is necessary.

11578. (23) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I do not see any necessity for reserving certain posts by Statute for officers recruited to the Indian Civil Service. I do not see the point for any hard-and-fast rules; if a really qualified officer can be found outside the rank of the Indian Civil Service, there is no reason why he should not be appointed to a particular post.

11579. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I consider that there should be an irreducible minimum of European officers. I think at least three-eighths of the superior appointments should be held by Europeans. My proposals are that one-fourth of the superior appointments should be listed as open to officers of the Provincial Service; of the remaining posts not less than half should always be held by Europeans. The rules for the recruitment of the Indian Civil Service should provide that *at least* half should be Europeans.

11580. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—I accept the principle subject to the remarks that competitive examination should be held simultaneously in England and India and that a certain proportion of posts should be reserved for members of the Provincial Service.

11581. (27) Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on Executive or Judicial duties?—The number of Indian Civilians now in service is, I am afraid, too small to admit of any generalization. The existing Indian Civilians now in service are by no means the best specimens of Indian talent, the reason being that the most qualified Indians hardly go to England. The Indian Civilians are generally excluded from certain posts. I cannot assign any reasons.

11582. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not recommend the revival of the old system of appointment of Statutory Civilians. It means the creation of three distinct Services, viz., (i) Indian Civil Service, (ii) Statutory Service, (iii) Provincial Civil Service. There will not be any real comradeship between the three Services, and incidentally it will lower the position of the Provincial Service.

11583. (33) Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—As far as I am aware the figures given for this province are correct.

11584. (34) Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons? - Under-Secretaryship to the Government of Bengal and Junior Secretaryship to the Board of Revenue have not been regularly filled by "Natives of India."

11585. (36) Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable, that the power should be utilized and in what directions?—No. The power has not been regularly exercised. As far as I am aware only in one case the power was exercised, viz., in the appointment of Rai Surendra Nath Mitra Bahadur as Under-Secretary. I do not think the power should be ordinarily exercised. It should be exercised in exceptional circumstances.

11586. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service, and (*b*) to the public interested in this question, and what advantages, if any, does this arrangement possess?—I do not think the system gives satisfaction to the Members of the Provincial Civil Service. The public interested in the question are apt to forget that any listed posts have been merged. They think the cadre of the Provincial Service has been strengthened.

11587. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The class of posts is suitable, but more posts should be thrown open, and listed Magistrates and Collectors should be eligible for all appointments included in the cadre of Magistrates and Collectors. At present listed Magistrate-Collectors can hold charge of districts only, they are not eligible for such appointments as those of Director of Agriculture, Commissioner of Excise, etc. My proposal is that the holder of a superior listed appointment should be eligible for all superior appointments, and Government may employ him in whatever manner it thinks fit.

11588. (39) Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—Yes, except in a few cases where selection was not made on the ground of any special merit but on account of social status, etc. Such officers cannot be employed under the rules in all branches of the Administration.

11589. (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—If simultaneous examination is introduced, Indians appointed in India should undergo probation for a period of two years in England. In the case of Europeans, appointed in England, they should undergo one year's probation in England and one year's probation in India.

11590. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—In the case of Indians (especially if simultaneous examination is held) probationers should be required to spend their period of probation at an approved university.

11591. (46) If so, do you advise the selection of one or more universities for this purpose and for what reasons?—I would advise the selection of Oxford and Cambridge universities, where Indian probationers can see the best of university life and come in contact with the best young men in England.

11592. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which Junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I think the suggestion of the Treasury Committee was distinctly sound. I do not think the objections could be met by a suitable scheme of instruction in India.

11593. (57) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—I suggest that Indians should undergo probation in England for two years.

11594. (85) In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—It should certainly be passed in England, otherwise any such system would be a failure.

11595. (105) Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—I would give every European officer recruited in England an allowance. There should not be any difference in the pay of posts, whether they are held by Europeans and Indians, though it is only right that European recruited in England should get increased emoluments.

Written answers relating to the Provincial Civil Service.

11596. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions governing recruitment to the Provincial Civil Service as defined in the Government of India Resolution are on the whole satisfactory; but the power of making direct appointments to the higher grades overlooking the claims of those who are already in the Service, should be taken away. It is greatly resented by the members of the Provincial Service, and in several cases has given rise to serious discontent.

11597. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—At present appointments are made purely by nomination. The old system of open competition combined with nomination should be reintroduced. The present system of nomination by Collectors and Commissioners has distinctly lowered the Service in the estimation of the educated people, and it entails much trouble and loss of self-respect amongst the candidates. A sufficient proportion of appointments in the Provincial Civil Service should be reserved for promotion of qualified members of the Subordinate Civil Service. The proportion should not be less than 25 per cent.

11598. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—I think those officers who had entered the Service by way of open competition are, generally speaking, superior to officers who had been recruited by other methods. For direct recruitment I suggest open competition combined with nomination. The power of nomination should be exercised with a view to secure representation of important communities and to redress inequalities. The power of nomination should be vested in the Governor in Council, and nomination should be limited to those who secure a minimum number of marks in the open competitive examinations and should be generally exercised in favour of those who secure the highest marks. No candidates should be given more than two chances to sit for the competitive examination.

11599. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Ordinarily, residents of the province should be employed in the Provincial Civil Service. If in any province suitable candidates are not forthcoming, there cannot be any objection to the appointment of non-residents.

11600. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Having regard to the qualifications of the different classes and communities, I think all classes are fairly represented in the Provincial Civil Service. I consider that it is desirable that all classes should be duly represented, provided efficient men are forthcoming. I have recommended the combination of nomination with open competition to secure this object.

11601. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—The present system of training and probation is satisfactory, but I am afraid sufficient care is not taken to give the officers under probation a suitable training. District officers should give more personal attention to this matter and place competent and senior members stationed in the district in charge of the training. Commissioners during their inspections should pay special attention to the training given to the probationers.

11602. (10) Is the existing system of departmental examinations suitable and, if not, what changes do you recommend?—The system is suitable, provided that open competition is introduced. I would recommend some changes in the syllabus of studies if the system of nomination is continued.

11603. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I do not think any change should be made.

11604. (13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—I do not think the leave reserve is adequate.

11605. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—About 12 appointments per annum. It has not secured an even flow of promotion.

11606. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The system of selection is enforced for promotion to the grades of Rs. 500 and upwards. I think promotion to the grade of Rs. 500 should be by seniority, and some system of selection should be enforced for promotions above that grade.

11607. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I do not think that under the existing system of promotion the interests of individual officers and of the Administration are often duly reconciled. Promotions are often made on the basis of confidential reports, which cannot always be relied on as a safe guide, as the District Officers may take a particular dislike to any officer and the latter is seldom given any chance to explain away any charges that may be brought against him. At the time of selection for higher appointments his whole record of service should be carefully taken into account, and any stray remarks against him should be overlooked. I think the compulsory retirement of inefficient officers should be insisted on with greater strictness.

11608. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The existing arrangements by which certain posts are listed as open to members of the Provincial Service of proved merit and ability are quite satisfactory; but I think the number of posts listed as open is very small. I think at least one-fourth or 25 per cent of the superior listed posts should be thrown open to the Provincial Service, and an officer who holds a superior listed appointment should be eligible for appointment to any superior scheduled posts; for instance, a listed Magistrate and Collector can at present only hold charge of districts. I do not see any reason why they should not be eligible for appointments as heads of departments and Secretaries to Government and other higher posts. They ought to be placed in the same position and footing as the old Statutory Civilians and they should be taken in the regular cadre of the Civil Service; otherwise there will always be a brand of inferiority on such officers which will interfere with the efficient discharge of their duties. Incidentally this will increase the prestige of the Provincial Service which is at present regarded as the *pariah* service. I may point out that the Public Service Commission of 1887 recommended that members of the Imperial and Provincial Services should, as far as possible, be put on a footing of social equality, and that when they occupied similar offices they should be graded together in the official precedence list. Selection of officers to listed appointments should be made by the Governor in Council and efficiency should be insisted on with greater strictness.

11609. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. It is regarded by the members of the Provincial Service as a very unsatisfactory arrangement. There should be separate inferior listed posts, and when appointments to superior listed posts are made claims of officers who have held inferior listed posts should be taken into consideration. I do not recommend the inclusion of the holders of inferior listed appointments in the cadre of the Civil Service.

11610. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am not satisfied with the present designation "the Provincial Civil Service"; but I am not in a position to suggest any other suitable designation. Its great demerit is that it puts a brand of inferiority on officers of the Provincial Service and does not secure that real comradeship and mutual respect among all the officers of the public service which ought to exist amongst them.

11611. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87 and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept the principle as suitable, subject to the modifications that the terms should be such as to enable the officers to exercise their duties efficiently, and to maintain their prestige as Government officers and to enable them to live decently without causing them any inconvenience.

11612. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—As far as my information goes, the cadre was reorganized in 1905, and has been twice revised on account of the partition of that year and the repartition of Bengal last year. As far as the higher grades are concerned, the flow of promotion has become worse than in 1890.

11613. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay and grading are unsuitable and are not adequate to secure the desired qualifications in the officers appointed, nor for the efficient discharge of their duties. The rates of pay were fixed about half a century ago and the cost of living has greatly increased since then. It should also be remembered that the margin between comfortable wage and the living wage is not high (and in fact very low) compared with the rates of pay in the Civil Service. I think two grades—one on Rs. 900 and the other on Rs. 1,000—should be added to the Service. The number of appointments in higher grades is disproportionately small. The gradings should be so arranged as to secure a quick flow of promotion. It is a matter of common complaint that promotions are painfully slow in the Provincial Service compared with the promotions in the Indian Civil Service.

11614. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No, I am not satisfied. It is a source of great discontent in the Provincial Civil Service. The same plan should be followed as in the Indian Civil Service.

11615. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I am in favour of a time-scale to be restricted to the lower grades of the Service, especially up to Rs. 500 grade.

11616. (28) What is your experience of the practical working of time-scales of pay in other Indian Services?—My experience of the practical working of time-scales of pay in the Opium, Telegraph and Postal Services is that it is working very satisfactorily.

11617. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial Branches of the Service is different?—I would recommend a time-scale on the basis of biennial increment of Rs. 50 up to Rs. 500. This will give every officer a chance to rise up to Rs. 1,000 grade before the completion of his service, and I think the increments should be subject to approved conduct and service, and should not be refused without special reasons, and the officer's representation should receive full consideration. As regards charge allowances and other matters of importance, the practice in the Engineering Service should be followed.

11618. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I approve of the arrangement, but full two-thirds should be given, but not 64. per cent. If any local allowance is attached to an appointment, it should not be reduced to two-thirds, but the full allowance should be given.

11619. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—I am afraid I am not in a position to answer this question. I believe there is reason to suppose that officers of the Provincial Civil Service take more leave than they did before. I attribute the cause to the increased pressure of work, and increased facilities in the way of communications.

11620. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—My answer to the first part of the question is in the negative. The amount which can be earned is suitable, provided that the three months' limit is raised. The three months' limit appears to be rather arbitrary. The reason why officers of the Provincial Service do not ordinarily take all the leave on full pay due to them are as follows:—(i) under article 26 he is precluded from taking any privilege leave within six months; (ii) privilege leave is often followed by transfer, which usually entails heavy pecuniary losses; (iii) the rule requiring officers to give three months' previous notice often stands in the way.

11621. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Officers of the Provincial Civil Service do not as a rule take all the furlough due to them. It seems to me to be necessary to allow for as much furlough as is permissible by the present rules. I think every five years' service should entitle officers to six months' furlough, subject, however, to the present maximum of two years.

11622. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I think the rates are suitable.

11623 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—Some consideration should be shown to those officers who are compelled to take medical leave on account of specially arduous work or work in specially unhealthy places. I recommend increased leave allowance and the extension of the period of leave in such cases.

11624. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The restriction that privilege leave cannot be granted within six months of return to duty should be relaxed, especially in view of the fact that privilege leave cannot be claimed as a matter of right. I think clause 14 of article 233, which lays down that when privilege leave is combined with medical leave, etc., the combined leave should not be for less than six months, should be deleted. It is rather hard on an officer to be compelled to take more leave on half pay than is necessary for him.

11625. (41) Have you any suggestions to make in favour of any modifications in its detailed working and, if so, what, and for what reasons?—The rule which requires that officers of the Provincial Civil Service should render two years' continuous service should be repealed, and such officers should be placed in the same footing as the Assistant Superintendent of Police. The period of service qualifying for full pension should be reduced from 30 to 25 years, and officers should be allowed to retire on half pension after 10 years' service in case of breakdown of health, and on full pension after 20 years' service.

11626. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the grant of reduced pensions in such cases. I suggest that such officers should be granted half of the pension that would have been admissible if they had retired on medical certificate.

11627. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—(*a*) All officers of the Provincial Civil Service, irrespective of their grades, should be given the privilege of being presented at the Governor's levée. (b) The rates of their travelling allowances should be raised. (c) Officers of the Provincial Civil Service should be included in the Calcutta House Allowance Scheme. At present, officers of the Postal, Telegraph, Accounts and Educational departments are eligible for house allowances, but officers of the Provincial Civil Service are *primâ facie* ineligible. (d) Officers on transfer should be given special travelling allowances. (e) District and Divisional officers should not be supplied with confidential character books of officers of the Provincial Service serving under them, as such officers may be biassed by a previous unfavourable remark passed by other officers.

MR. JAMINI MOHAN MITRA called and examined.

11628 (*Chairman.*) What is your caste?—I am a Kayastha.

11629. You are a Registrar of Co-operative Credit Societies?—I am.

11630. Can you explain what the position of that post is? I understand it is not a listed post?—In Bengal, it has not been listed as open to the members of the Provincial Civil Service. I belong to the Provincial Civil Service. The post is included in the cadre of Magistrates and Collectors and the appointment of a Provincial Officer has to go to the Secretary of State for sanction, and my appointment as Registrar had to be so sanctioned. I hold one of the posts reserved for members of the Indian Civil Service.

11631. Your position is, therefore, similar to that of a Collector?—The post is included in the cadre of Magistrate and Collector and so, in accordance with the Public Service Rules, I am regarded as a Magistrate and Collector.

11632. You advocate a system of simultaneous examination?—Yes, I do.

11633. Subject to a European minimum?—Yes.

11634. Do you anticipate any difficulty in carrying that proposal into effect?—I do not anticipate any difficulty.

11635. Assuming that the number of Indians who were successful in the examination encroached on your minimum of three-eighths, how would you proceed?—I think the Secretary of State might take power under the rules to ignore those extra Indians who had been successful, or a better course would be that the Secretary of State might take power to omit simultaneous examinations in India for two or three years as the case may be.

11636. If the proportion were exceeded, then the examination in India would cease for two or three years?—Yes. As a matter of fact I do not anticipate that Indians would come out successful in such large numbers as to make it necessary for the Secretary of State to exercise that special power.

11637. I notice that your irreducible minimum of Europeans is three-eighths?—If that is regarded as too low, I should say one-half.

11638. What has made you choose that particular figure?—I am not particular whether it is three-eighths or a half.

11639. Your scheme is that a quarter of the superior appointments should be listed as open to officers of the Provincial Civil Service, and that half the remainder should be held by Europeans, leaving the balance to be filled as the result of a simultaneous examination?—Yes.

11640. You are opposed to the institution of a separate examination?—I am opposed to that.

11641. What is your chief objection to a separate examination as distinct from a simultaneous examination?—If a separate examination is held, I do not think those who are successful in the separate examination will be on a footing of equality with the members of the Indian Civil Service. That is my chief objection.

11642. So that of the two evils or difficulties, the one I have already alluded to in regard to simultaneous examinations, and the one you have alluded to in regard to separate examinations you regard the latter as the greater, and therefore you prefer simultaneous examination?—Yes, I prefer simultaneous examination for that reason.

11643. I notice that, although you suggest that officers who enter the Service through a separate examination, may be regarded as inferior, you do not anticipate that the same stigma will attach itself to those officers who are promoted to the listed posts from the Provincial Civil Service?—I think a certain brand of inferiority attaches to the officers promoted from the Provincial Civil Service, and I think steps should be taken to remove the stigma.

11644. You would like to see those officers who are promoted to the listed posts placed on an equality with members of the Indian Civil Service?—Yes.

11645. You suggest a different term of probation for Europeans and Indians?—Yes.

11646. How will you be able in this case to decide the seniority of Civilians? Will you decide it on the first examination?—Yes, as the result of the open competitive examination.

11647. Seniority would be based upon the single examination instead of upon the aggregate of the two?—Yes, it would be based on the first open competition.

11648. You do not suggest the weeding out of candidates who do not make sufficient progress?—No, as far as I remember I do not suggest that.

11649. You would allow them to enter the Service without any test during their probationary period?—I would apply some test and weed them out.

11650. Can you suggest what steps you would take to carry out that idea effectively?—I am afraid I cannot answer that question off-hand.

11651. I gather from your answer to question (6), dealing with the Provincial Civil Service, that you would nominate after open competition rather than before. You suggest a competitive examination and then nomination from amongst those who have passed. Would it not be better to nominate first and then have the examination?—It depends on the meaning of the word nomination. Assurances have to be taken that the persons who go up for examination are men of character and of good antecedents and men of good physique; that is the only sort of nomination I should insist on.

11652. You would not have any consideration given to the claims of the varying castes or creeds?—I have said that the open competitive examination should be supplemented by nomination, and at the time of nomination I would give some consideration to the claims of the different castes and communities.

11653. The way I read your answer was that you would put your candidates through the examination first and then nominate them afterwards?—Yes.

11654. Then I am right in that?—Yes, those who will be appointed as the result of nomination would also have to appear at the competitive examination.

11655. In answer to question (24), you say that the rates of pay of the Provincial Civil Service were fixed about half a century ago, but has not there been any rearrangement of the pay during the past fifty years?—The minimum pay was raised quite recently, but the maximum pay remains as before. There has been some rearrangement of grading. In this connection please see my answer to question (23) relating to the Provincial Civil Service.

11656. But that is not completed yet, is it?—It is not completed.

11657. Then in answer to question (42), you recommend the retirement of inefficient officers on half invalid pensions. Would not such a rule operate somewhat harshly?—I do not see any reason why it should operate harshly because the administration cannot go on with incompetent officers.

11658. I can quite understand a proportionate pension being given to an inefficient officer, but it struck me that a scale based on half the invalid pension was a little harsh?—It might be a little harsh.

11659. What do you mean by the Calcutta House Allowance Scheme, which you mention in your answer to question (47)?—Some officers who are stationed at Calcutta get allowances for house-rent if they have their family living with them.

11660. And you want the officers of the Provincial Civil Service to be included in this scheme?—Yes.

11661. In other words, to have a house allowance?—Yes.

11662. What officers get that now?—Members of the Indian Civil Service, officers of the Education and Accounts Departments, and so on.

11663 But no Provincial Civil Service officers get it and you want them included?—One of the first rules of the House Allowance Scheme is that officers of the Provincial Civil Service are *primâ facie* ineligible.

11664. (*Sir Murray Hammick.*) In answer to question (17), you say, "I think as a class they compare very unfavourably with those who are now on the top," referring to recent recruits to the Indian Civil Service. What special characteristic do you think that is due to—efficiency, manner, or what?—I should say both to efficiency and manner.

11665. In answer to question (27), you say that Indians are generally excluded from certain posts. What posts do you mean?—The Directorship of Agriculture, the Directorship of Land Records, Secretaryship to the Government of Bengal, and so on.

11666. Are you quite sure they have been passed over for these posts?—I do not know of any case in which a Native member of the Indian Civil Service has been appointed to those posts.

11667. That is all you know about them; you do not know that they have been passed over for them?—No, I do not know that.

11668. (*Sir Valentine Chirol.*) In your reply to question (13), you appear to anticipate that recruitment to the Judicial Branch from barristers and pleaders would fill the Service with unsuccessful lawyers, and that persons with a sense of failure in that profession are not likely to make useful public servants. Is there a large number of such failures at the Bar?—Yes, quite a large number.

11669. Would you say that the law is a profession in which the majority of young Indians who take to it succeed?—I do not think the majority of Indians succeed; a very small number succeed.

11670 (*Mr. Madge.*) Among the reasons given by you for saying that you do not get the best type of Civil Servants now, you state that the conditions which prevail in the place of the old parental system of Government do not appeal to the young men's imagination or ambition. Do you think that reason appeals to all candidates for the Civil Service or those who might be candidates?—I have not sufficient grounds to judge, but this is one of the reasons which I have heard suggested by several European Civilians.

11671. Entirely by Europeans and not by Indians?—Not by Indians.

11672. As regards the change to which you refer, have you any grounds for giving us a confident opinion whether this feeling about the change is approved generally in this country or is objected to?—The changes are approved of.

11673. Even by the masses?—I think to a certain extent even by the masses, as far as I am aware.

11674. In answer to question (13), you refer to a suitable training without saying what that suitable training would be, but you immediately follow it up with remarks which seem to show that mere legal training would not satisfy you. What else do you mean by suitable training?—I do not think my second suggestion really excludes legal training. I mean that mere training as lawyers and barristers would not be sufficient. They ought to act as Munsifs and Sub-Judges. After having experience of four or five years in the general administration of the country, they ought definitely to choose whether they will take the judicial line or the executive line and obtain their training as Munsifs and Sub-Judges before rising to a District Judgeship.

11675. You think their experience in the executive line would be a valuable asset?—I should think so.

11676. Even in Judicial officers?—Yes.

11677. In your answer to question (15), you refer to the age-limits. With reference to any visit to England on the part of either a Civilian or any other class of officer, do you think it an advantage for him to go there during the earlier and more impressionable years of his life; or later when it is supposed that he has greater capacities for observation?—For Indians I would prefer the later years when they have more capacity for observation.

11678. But are his assimilative powers improved with years, or are they at their best during the most impressionable years?—Even if they go at the most impressionable age, I do not think they get very good impressions, because they are busy with their studies and so anxious to pass their examinations. It would be a great advantage for them to go after passing their examination here, because then they have more opportunities of cultivating English society and seeing the best of English life. They really learn more of English life then than if they go at a very early age only for the purpose of study.

11679. May I take you to mean that even although they do not absolutely absorb more of English life they would be helped to form a higher ideal? Though a man himself may not assimilate English habits of thought and feeling, he can still form a higher ideal by which he could judge of men and things?—He would have a higher ideal and wider experience of men and things.

11680. In answer to question (24), you say that you think at least three-eighths of the superior appointments should be held by Europeans. Do you say that because you think a British tone ought to be preserved in the administration?—I do not understand what is meant by a British tone.

11681. As far as I can explain it, we have a Government here which is said to be the best the country has ever known, because it has preserved peace for a long number of years, has given security to the masses generally, and all that class of thing; and that is what is said to be included in the British tone?—That ought to be the tone of every civilized government, if I may say so.

11682. Has it been the tone of the governments of India before British rule? I am not asking this for the purpose of making any invidious comparison, but simply because I want to bring out a point. You yourself say that there should be an irreducible minimum of European officers. What object do you wish to secure by that?—As a symbol of British sovereignty.

11683. Only of sovereignty, whether that is good or bad?—We all admit that it is very good.

11684. Then in order to maintain that goodness you think that at least three-eighths of the superior appointments should be held by Europeans. That means less than a half. Do you think that this goodness resides in the machinery that the British Government have perfected in this country or in the personality of its officers?—In the machinery which the British Government has perfected in this country.

11685. And you still think a certain proportion of Englishmen should be maintained?—Yes, as a visible symbol of British sovereignty.

11686. As regards the essential goodness, if all British officers disappeared, would that goodness still remain?—I consider that the system which they have perfected will go on mechanically.

11687. Automatically?—Yes, with only one or two European officers.

11688. Why one or two?—The Governor and the Members of Council. I want that there shall be an irreducible minimum of European officers so that the people should know something of British character and should be impressed with the idea of the British sovereignty.

11689. It is rather to keep up the sovereignty than anything else?—Yes.

11690. (*Mr. Macdonald.*) How did you get into the Provincial Civil Service?—By way of competition.

11691. You got in through the test of competition?—Yes.

11692. You were not one of the nominated men?—No.

11693. You answer certain questions later on about nomination; do you answer them from your own experience?—Yes.

11694. You have known the sort of pressure that has been brought to bear upon District Officers in order to get the necessary nomination?—Yes.

11695. And it is from the result of your experience that you condemn nomination?—Yes, most emphatically I condemn nomination.

11696. You would condemn it equally emphatically for the Indian Civil Service itself?—Yes.

11697. Perhaps even more emphatically?—Even more emphatically.

11698. Your position as Registrar of Co-operative credit Societies is rather a special one, is it not?—Yes.

11699. Special to yourself?—Yes.

11700. How did you come to get it? Was it as a reward for good services observed by a superior officer?—It is very difficult for me to answer that question; I believe I was in this Department and I believe Government appreciated my work and appointed me.

11701. What do you do as Registrar?—I go about and try to preach co-operation, and I inspect the Co-operative Societies.

11702. In inspecting Co-operative Societies you have of course to inspect the finances?—Yes.

11703. And you have to inspect their method of government, the election of committees, and so on?—Yes.

11704. You have to see that the committees do their work?—Yes.

11705. Do you form new ones?—Yes.

11706. And you watch the whole operation of their business?—Yes.

11707. It is an office that I might assume requires a very considerable amount of organisation?—Yes.

11708. Was the superior officer who appointed you, or who was above you at the time, an Indian or a European?—A European.

11709. And he selected you because you had faculties which enabled you to do this work in a very special way?—I suppose so.

11710. Your selection really was a special selection, and not an ordinary selection?—That is so.

11711. In your answer to question (12), you refer to the Provincial Civil Service and to listed posts. Supposing we had simultaneous examination and we took the listed posts away from the Provincial Civil Service, what, in your opinion, would be the effect upon the Provincial Civil Service?—It will distinctly lower the Provincial Civil Service in the eyes of the public, it will take away the incentive for zealous work from Provincial officers, and it will emphasise the brand of inferiority which at present attaches to Provincial officers.

11712. On the other side, you get a wider door for entrance into the Indian Civil Service?—Yes.

11713. Would that compensate for the other? Would you regard simultaneous examination as an adequate compensation for the taking away of listed posts from the Provincial Civil Service?—I would have both simultaneous examination and also retain listed posts.

11714. Supposing it was put to you as an alternative,—simultaneous examination without listed posts or the present system with listed posts?—I should certainly prefer simultaneous examination without listed posts.

11715. In answer to question (46), you say you would select Oxford and Cambridge Universities as the places which the probationers have to attend. Have you had any English experience?—No, I have not.

11716. Why do you select Oxford and Cambridge?—Because I hear good accounts of them.

11717. It is a sort of common habit of mind into which an aspiring Indian falls?—I would not say that. I believe Oxford and Cambridge Universities are regarded by everyone as very suitable places for training.

11718. You have served under European officers in this country?—I have.

11719. Did you find a very marked distinction between men who had come from Oxford or Cambridge and men who had not?—I am afraid I cannot say that, but some Oxford men whom I met were distinctly of a superior type.

11720. Would not you say that of some Edinburgh or Glasgow men you have met?—One or two Glasgow men I think are very brilliant, but as a rule I think Oxford men are superior.

11721 You stick to that?—Yes, I stick to it.

11722. In answer to question (17), dealing with the Provincial Section, you, say "Promotions are often made on the basis of confidential reports, which may not always be relied on as a safe guide, as the District Officers may take a particular dislike to any officer and the latter is seldom given any chance to explain away any charges that may be brought against him." May I take it from you that, rightly or wrongly, this system of reporting is regarded as being a grievance?—Yes, it is so regarded.

11723. Am I right in putting it in this way, that the real grievance is felt not that a man is reported upon, but that a man is reported upon adversely and knows nothing whatever about it until some time afterwards; it may be some years afterwards?—Yes.

11724. When he suddenly discovers that for something or other of which he knew nothing he had received an adverse report?—Yes.

11725. Do you agree that it is necessary, if there is going to be some sort of central cognizance of how men are going on, that reports must be sent up?—Certainly.

11726. You do not object to the reporting as such?—No, I do not object.

11727. Would it be your suggestion that if a man is adversely reported upon seriously, he ought to be told right away, so that whilst everything is fresh in his mind he may have a chance, if he cares, to put himself right with his superior officer?—Yes.

11728. You would suggest that?—Yes.

11729. And if that were done, this system which you think is inevitable would be robbed of its objectionable character?—Yes.

11730. (*Mr. Sly.*) In your answer to question (29), you express an opinion that recruitment by a separate examination in England would still lead to a sense of inferiority in the officers recruited by that method. If there were recruitment in India by which officers were included in the same gradation list, received the same pay, and received the same promotion, and were under the same influence and had exactly the same service, and were in every way treated, so far as Government can treat them, on exactly similar lines to the men who were recruited by open competition, would there still exist that feeling of inequality in your opinion?—Yes.

11731. What is the particular inequality that would then exist?—They would be neither fish, flesh, fowl, nor good red herring!

11732. Why not; they are in the same Service, on the same cadre?—But the European members of the same Service would say they had entered by a back door.

11733. A reflection would be cast upon them for having entered by another door?—Yes, and we do not like that.

11734. Would they be judged by the work they did, whether they were successful or unsuccessful officers, whether they were above or below the other men in their practical work and the administration of their districts, or would they be simply judged by the fact that they had come in by a different door?—They would be partly judged by the work they did and partly also by that fact. I think it would be distinctly demoralising to the Indian Civil Service, *i.e.*, to those who enter by open competition in England.

11735. How would it demoralise them?—Because they would be inclined to look down upon these men, and they will be a more exclusive body.

11736. They would look down on these men because they came in by a different method?—Yes.

11737. In reply to question (24), you have suggested that five-eighths of the present cadre should be Indian, and that three-eighths should be European?—I am prepared to modify that opinion now and say that one-half should be Europeans. I have no particular preference for three-eighths.

11738. On what grounds do you fix it at half now?—For the same reason that I fixed it at three-eighths.

11739. I should like to know the reasons why you fixed it at three-eighths?—I think that would be quite sufficient for the administration.

11740 It is simply a general impression?—Yes.

11741. Does it refer to Bengal or the whole of India?—I am speaking of Bengal.

11742. In reply to question (27), you say that the existing Indian Civilians are by no means the best specimens of Indian talent. Would you kindly let us know what you mean by that? Who are the best specimens and where do they come from?—What I mean to say is that, under the existing system, the best youths of India cannot go to England to compete for the competitive examination. Only those men go whose guardians command a long purse. I think if simultaneous examinations are held, you will get the best Indians.

11743. And the best Indians at the present time are left in India and take up other careers?—Yes.

11744. A great many Indians go home for the Bar examinations, do not they?—Yes.

11745. Do they include any of the best?—I am not prepared to say that they include all the best.

11746. Now let us come to that question about the Provincial Civil Service and these confidential reports; is it not the case that there is a rule in Bengal that every report of an unfavourable nature shall be communicated at the time to the officer for any remarks that he may wish to offer?—I know of no such rule. There may be such a rule, but we are not aware of it.

11747. Then so far as Bengal is concerned, that is not the practice?—I do not think it is the practice, or at least I am not aware of the rule.

11748. (*Mr. Gokhale.*) You say that the present system of nomination by Collectors and Commissioners has distinctly lowered the Service in the estimation of educated people, and entails much trouble and loss of self-respect amongst the candidates. What do you mean by saying that it has distinctly lowered the Service in the estimation of educated people?—Educated people cannot but feel that all men who now become Deputy Collectors enter by back doors and by means of all sorts of recommendations and it entails a distinct loss of self-respect on the part of the guardians to go and dance attendance on District Officers.

11749. You mean by lowering the Service that they think the best men really do not get in and that inferior men get in?—Yes.

11750. And that the efficiency of the Service suffers in consequence?—Yes, to some extent.

11751. Is it the impression, that the men who enter by competition are really better than the men who enter by nomination?—I have said so.

11752. I believe that you entered, as you said, by open competition?—Yes.

11753. Do you think you could have entered by nomination?—Certainly not.

11754. How are men nominated in this province?—I believe now they have to secure a nomination from a District Officer.

11755. But how is a man to secure that nomination from a District Officer? The District Officer may not know him?—He tries to be friendly with the District Officer, to see him and curry favour with him.

11756. Can a young man try to be friendly with a District Officer?—His guardians can. Those who have no guardians, or whose guardians will not take the trouble, have absolutely no chance of getting into the Provincial Civil Service. Then I believe the nominations are sent up, and there is a conference of Commissioners and Collectors, and they decide. Then probably his parents have to go and see other District Magistrates too.

11757. You mean that the guardians and parents of the young man who wants to enter Government service have to take special trouble to secure nomination?—Undoubtedly.

11758. Do you also mean that this has a demoralising effect so far as the young men themselves are concerned?—Both so far as the young men are concerned, and as far as the District Officers are concerned, and as far as the guardians are concerned.

11759. Are the reports of the Police considered in making these appointments?—I have heard it suggested once or twice.

11760. Has it the result of keeping young men and their guardians from public work of any kind?—I am not aware of that.

11761. You do not mean anything else by the expression beyond what you have stated?—No.

11762. (*Mr. Chaubal.*) I did not quite understand your answer to question (6). What do you mean by your suggestion of competition combined with nomination?—I mean only in order to secure the representation of important communities and to redress inequalities.

11763. But where does the nomination come in; at what stage?—If there are 100 posts vacant, two-thirds of the appointments should be filled up as the result of an open competitive examination, and one-third by nomination from amongst those who had not got to the top.

11764. You are not referring to the unfortunate results you speak of in answer to question (2), as regards nomination?—Not to that extent, because it is merely to secure representation of important communities and to redress inequalities. Certain results might ensue, but not to that extent.

11765. You do not want the nomination to be at the sacrifice of efficiency?—No. I have suggested that from amongst those who have secured the highest marks the nominations should be made.

11766. There is a competitive examination, and 75 of the posts out of the 100 are given to the first 75, and 25 are given to representatives of classes and communities who come out just below the 75?—Yes.

11767. You say in answer to question (1) that the power of making direct appointments to the higher grades, overlooking the claims of those who are already in the Service, should be taken away. That means that seniority should be respected?—I mean to say that outsiders should not be suddenly brought in.

11768. You mean men outside the Service?—Yes, they should not be brought in and appointed to the higher grades.

11769. With regard to your answer to question (27), in performing your duties as Registrar of Co-operative Credit Societies, do you have to go round the whole district?—Yes.

11770. The whole province?—Yes.

11771. And on your tour you come across Indian Civil Service men, as well as English Civil Service men, do you not?—Yes.

11772. And you have opportunities of largely knowing both of them?—Yes.

11773. On the whole, from what you see, have you any impression at present that the average Indian Civil Service man is inferior to the European Civil Service man?—I must say that my experience is that the present day Indians of the Civil Service are, to a certain extent, as a class, inferior to European Civil Servants. That is my impression and I believe I have told you the reason why; namely, that the best men cannot go to England.

11774. I quite understand that an intelligent young man with abilities may be prevented by circumstances from going to England, and that would no doubt legitimately give ground for the inference that the best of Indian talent does not go, and also the inference that those who go at present are not the best; but I do not wish you to look at it from that point of view. I wish you to look at it entirely from your own relations, with and experience of, the two classes of officers in the performance of their duties attaching to the offices. Can you see any difference between the two?—It is not a mere inference. I say it from my own experience that Indian Civilians are, as a class, inferior to the average European Civilians.

11775. In your answer to question (17), I suppose you are comparing the recent recruits of two or three years back with the men of 25 and 27 or 30 years' service?—Yes.

11776. Am I right in supposing that you could not possibly have had any experience of what sort of men these were in the first three or four years of their service?—One gets a general impression.

11777. One gets a general impression of what a man was 30 years before?—It is rather difficult.

11778. As a matter of fact, you have said that, without being able to compare the recruits of 30 years ago when they first came out with the recruits of the present day. Is not that so?—That is so.

11779. In answer to question (13), you say, "The method of recruitment from barristers and pleaders proposed in some quarters would only fill the Service with unsuccessful lawyers; and persons with a sense of failure in their profession are not likely to make useful public servants." I suppose you cannot mention any instances of barristers and advocates being District Judges and proving incompetent?—I have had some experience of barristers being appointed Munsifs, but I have no experience of barristers being appointed District Judges.

11780. You have seen barristers of over ten years' standing being made High Court Judges, have not you?—I do not know exactly what the length of service was before they were appointed Judges.

11781. The rule is that a barrister must be of ten years' standing or over before he can be appointed a High Court Judge?—I did not know that.

11782. (*Sir Theodore Morison.*) With regard to your answer to question (19), you make certain suggestions for the improvement of the Provincial Civil Service and, in reply to question (21), you suggest that the name should be changed?—I have not suggested it, because I do not think it would be possible.

11783. But you have advised that the name should be changed?—I have not even advised it. I am not in a position to suggest any other designation. I do not think it is possible to do so.

11784. In reply to question (19), you have made certain suggestions for improving the Service and I only want to ask you whether, if those are carried out, you think it will remove the stigma which I understand you to say attaches to the Service?—To a certain extent it would remove it, but not completely.

11785. Would it still be the highest Service or something a little less than that?—Something a little less than that I should say.

11786. It would be an honourable Service, would it not?—Yes.

11787. (*Lord Ronaldshay.*) You say it is a matter of common complaint to-day that you cannot get quite the best type of men to join the Civil Service, and I understand you attribute that not so much to the system of recruitment as to the decline in popularity of the Service itself?—Yes, because I think their pay is regarded as low now.

11788 The Service is not so attractive as it was some years ago?—No.

11789. One of the attractions of the Service is surely that certain posts are reserved for members of that Service, is it not?—I believe so.

11790. That gives the man who is going to join the Indian Civil Service a Parliamentary guarantee that if he goes out to India he will, in the natural course, find his way to a superior post which is secured to him by the schedule to the Act of 1861; I notice in answer to a question in regard to that that you suggest there is no necessity to reserve any particular posts for the members of the Civil Service. If that is so, you would destroy the guarantee which the Service at present has as to its prospects?—I think people will know that ordinarily those posts will be filled by members of the Civil Service. I do not think it will take away much from the attraction of the Service.

11791. But surely it would still further detract from the popularity of the service if the Parliamentary guarantee which the Service has to-day is taken away?—But it will be to a certain extent counterbalanced by the fact, if my suggestion is accepted, that the pay will be raised.

11792. With regard to your suggestion for qualified simultaneous examinations, you would set aside one-fourth of the superior posts for the Provincial Civil Service, and you would recruit the remainder of the posts by means of examinations carried on in England and in India; but you lay down this condition that at least half the vacancies should be filled by Europeans. Supposing, as the result of an examination which was held to fill up 50 vacancies, there were 30 Indians and 20 Europeans in the first 50 places, how would you guarantee your half of Europeans under those circumstances?—I said I would take power from the Secretary of State to exclude the extra five Indians who have got in and put Europeans in in their place, or else I would stop the simultaneous examination in India for two or three years.

11793. Does it not occur to you that to adopt either of those courses would give the Indians a very legitimate ground for agitation? It would be regarded by the people of this country as an injustice, would it not?—I do not think so, if you definitely say when you make the rules that you are going to do it.

11794. Let us assume you were a candidate for the Indian Civil Service, and that you went to England and spent a lot of money on your education, and went up for the competitive examination, and you passed sufficiently high to give you a place in the Service. Then suppose that the Secretary of State were to come down and say, "Oh, no, there is not a sufficient number of Europeans who have obtained the vacancies this year, and therefore you must not have your place, because I have to put a European in instead of you". Do not you think you would feel a very legitimate sense of grievance against the Secretary of State?—When I appear for an examination I am certainly expected to know the rules, and I do not think that that grievance would be regarded as legitimate by other people.

11795. I am bound to say that if I were in that position I should feel aggrieved?—I do not think I should.

11796. (*Mr. Bompas.*) Have you any reason to suppose, during your service, that you have been unfavourably reported upon by your superior officers?—No.

11797. Therefore you will be willing to take it from me, from my practical experience, that when officers of the Provincial Civil Service are unfavourably reported upon, those unfavourable remarks are communicated to them by the Government?—Well, that is not the impression of other members of my Service.

11798. But if I tell you it has been done, and done through me, you will take it?—If it has been done, I will accept it on your statement.

11799. As regards this system of nomination for the Provincial Civil Service, are you aware that it was introduced in order that the different classes of the province might be represented?—I do not exactly know the reasons why the nomination system was introduced.

11800. Let me tell you what the system is. The nominee has to be a B.A., a graduate of a university. That limits the field of selection. Then, as a nominee of the Collector he must be a resident of the district, and that secures that candidates are received from all parts of the province. From amongst those candidates in the district, attention is paid partly to social status and partly to the service rendered to Government by his family in Government service or otherwise. So that you get a high standard of education qualifications and recruits drawn from different parts of the province. Would you agree that there was a good deal to be said for that system at the time when the province had Bihar and Assam and Eastern Bengal?—I do not think so, because under the old system nomination was combined with competition, and generally the nominees were representatives of important communities.

11801. But there is the danger in a competitive examination of all the successful candidates being drawn from one part of the province?—Then the Governor in Council is supposed to redress that inequality by a judicious exercise of his power of nomination.

11802. That depends upon how far you would go in the case of inequality?—That is so.

11803. (*Mr. Mukharji.*) In reply to question (39), you say, "Such officers cannot be employed under the rules in all branches of the administration." Do you mean Provincial Civil Service men?—Yes.

11804. In question (19) of the Provincial Civil Service Section, you go on to amplify it. Are these to be read as complementary to each other?—Yes. They cannot even hold the post of Registrar of Co-operative Credit Societies.

11805. In answer to that question you say that the Provincial Civil Service just now is regarded as a *pariah* service; what is your reason for saying that?—There is a distinct brand of inferiority on the Provincial officers.

11806. Are you not using rather too strong an expression there?—That is an expression that was used previously, and so I copied it. I do not think it is a very strong expression. Everybody understands what is meant by that.

11807. Referring to your answers to question (2) and (6), with regard to nomination and open competition for the Provincial Civil Service, I will hand you a list which will show that, between the years 1884 and 1904, when the competition system was in force, out of something like 267, only a portion of the appointments was filled by competition, and the rest by nomination? (*List handed to witness.*)—I see.

11808. Would you have that system?—Yes, I have suggested that system.

11809. Not quite that, because you say all the appointments are to be competed for, and then the competition is to be tempered by nomination?—It is the same thing; you practically get nomination of the second batch of your officers.

11810. With reference to question (24), do you think that there should be two more grades, Rs. 900 and Rs. 1,000?—Yes.

11811. Do not you think that the appointments in the higher grades are very small just now?—They are very small.

11812. And you would like to raise them?—Yes, but I have not thought out the exact proportion.

11813. In answer to question (47), you say in (*e*), "District and Divisional Officers should not be supplied with confidential character books of officers of the Provincial Service serving under them." Have you correctly written what you say there?—I believe it is the impression that District and Divisional Officers are supplied with copies of confidential reports passed by other officers, and generally look up that list and form an opinion without giving the officers a chance.

11814. Is it not very necessary for them to know the character of the men who are working under them?—I think they ought to be able to know by experience.

11815. (*Mr. Sen.*) You say you fully approve of the present system of promoting officers of the Provincial Civil Service to listed posts, and that in your opinion they have proved as efficient as members of the Indian Civil Service?—Yes.

11816. One of the witnesses told us yesterday that officers of the Provincial Civil Service holding listed posts did not command as much influence and could not inspire as much respect as members of the Indian Civil Service?—I distinctly think they command more influence and more prestige than the Indian members of the Indian Civil Service.

11817. I take it that, in your opinion, District Judges and District Magistrates appointed from the Provincial Service are held in the highest esteem by their countrymen?—Yes, undoubtedly.

11818. In your anwer to question (30), you say you approve of the arrangement by which two-thirds of the pay is drawn?—Yes.

11819. You say, "But full two-thirds should be given, but not 64 per cent." What is the pay of a third-grade Magistrate of the Provincial Civil Service? Is it not Rs. 1,000?—Yes.

11820. What is the pay of a third-grade Magistrate recruited from the Indian Civil Service?—Really two-thirds, but in some case it is 64 per cent.

11821. What is the pay of a second-grade Magistrate? Is it not Rs. 1,200?—Yes, and the first-grade, Rs. 1,600.

11822. What is the pay of the first-grade Magistrate of the Indian Civil Service?—Rupees 2,250.

11823. That is more than two-thirds?—Yes.

11824. Take the case of the Provincial Service Judges. What is the pay of a third-grade District Judge; is it not Rs. 1,200?—Yes.

11825. What is the pay of a second-grade District Judge?—It is less than Rs. 2,000.

11826. If you look at the Civil List you will see that, so far as the Executive Service is concerned, there is not much grievance; that the only grievance is in the Provincial Judicial Service. Do you admit that?—I have not heard it suggested to me as a grievance.

11827. According to what you say, they should have exactly two-thirds?—I think that is only fair.

11828. So far as your Service is concerned, there is no grievance; but so far as the Provincial Judicial Service is concerned, there is a grievance. If my view is accepted, it is a grievance?—That is so.

(The witness withdrew.)

NICHOLAS DODD BEATSON-BELL, ESQ., I.C.S., Commissioner of the Dacca Division.

Written answers relating to the Indian Civil Service.

11829. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It is by no means an ideal system, but I do not know of any alternative system which is not open to serious objections.

11830. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—While I would retain the present system in its general aspect, I would like to see something analogous to the "King's Indian Cadets" for the Indian Army. A proportion (say 10 or 20 per cent.) of the vacancies might be reserved for cadets nominated by the Secretary of State. Those cadets would be the sons of officers who had served Government either in a civil or in a military capacity in India. Those cadetships would be open not only to Europeans but also to "Natives of India." The sons of Indian gentlemen who had served Government in an honorary capacity would also be eligible for cadetships. The Secretary of State would determine from time to time the proportion of cadetships to be allotted to "Natives of India." In the matter of cadetships for the Indian Army there is now an automatic system which practically excludes the element of jobbery. A somewhat similar system would be devised for the proposed cadetships for the Indian Civil Service. The cadets would be required to pass a qualifying examination; a high standard should of course be fixed.

11831. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is less suitable for the admission of Natives of India than for that of other natural-born subjects of His Majesty. It tends to the exclusion of the more manly races, and also of the Muhammadans. This objection would be modified if cadetships were introduced as proposed in my answer to question (2).

11832. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—There is a good deal to be said for taking reprisals against Colonies which exclude British Indians, or which treat them badly after admission; but, on the whole, I think it is better that the Government of India should maintain the true Imperial attitude.

11833. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I see no objection to a combination of the examinations for the Indian Civil Service and the Colonial Civil Service; but I think that the examination for the Home Civil Service should be kept apart. Both in regard to the work and to the qualifications required, the Indian Civil Service and the Colonial Civil Service are *ejusdem generis*; but the Home Civil Service is not.

11834. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by head masters of schools approved or otherwise; (*b*) selection by authorities in universities approved or otherwise; (*c*) nomination by head masters or university authorities and selection under the orders of the Secretary of State; (*d*) combined nomination and examination; (*e*) any other method?—System (*a*) would produce on the whole better men than those produced under the present system. In fact, as regards the quality of the product, it would be the best of all systems. But the difficulty in making lists of approved schools would be so great that I reluctantly recommend the continuation of the present system. On paper it would be easier to prepare a system of "University Selection" than a system of "School Selection," but the quality of the product would not, I think, be superior to that of the present system, and accusations of jobbery would surely arise. I fear that such accusations would not always be groundless. Less reliance could be placed upon university authorities than upon head masters of schools.

11835. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of "simultaneous examinations."

11836. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No. There should be only one examination to be held at the capital of the Empire.

11837. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am not in favour of "separate examinations".

11838. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—Please see my answer to question (2), where I have advocated a system of "cadetships". In the cadetships awarded to natives of India it is most desirable that all classes and communities should be represented; particularly those of the manly races and the Muhammadans. The sons of "Native officers" in the Indian Army deserve special recognition.

11839. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—If a system of cadetships, such as I have outlined, were introduced, it should not affect the rights of natives of India in respect of the open competitive examination. In the case of other systems, a restriction of these rights might be a necessary corollary.

11840. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Supplementary.

11841. (13) Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I recommend no separate method of recruitment.

11842. (14) Are you satisfied with the present definition of the term "Natives of India," in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I make no proposal.

11843. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—I consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in Britain (17—19); otherwise the sons of parents who cannot afford the expenses of a university are practically excluded. Moreover, a probation of three years is most desirable. This is impossible when the age-limit is high. (*P.S.*—If the age-limit be high, probationers are apt to come out married or engaged, which is most undesirable.)

11844. (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved university) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—Good, bad and indifferent officers have come out under both systems. The general education of the later batches is superior to that of the earlier batches, but the special education of the earlier batches, particularly of those who went through a three years' probation, was much better. The earlier batches were more disposed to look at things from an Indian standpoint.

11845. (17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Fairly good, subject to what I have written under question (16).

11846. (18) What is the most suitable age at which junior Civilians should arrive in India?—About 22 or 23.

11847. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—On the whole I think Indian parents would prefer 17—19 as the age-limit, chiefly on the ground of expense. From the point of view of formation of character, an early age-limit is also desirable in the case of Indian candidates. I recommend the same age-limit (17—19) for all candidates.

11848. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I have nothing to add to the remarks of Lord Macaulay.

11849. (21) Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of university-leaving age?—As regards the open examination, when I entered the Service (1886), my chief criticism would be—(i) English Composition; English History and English Literature were marked too low; (ii) Italian and Political Economy were regarded as "cram subjects," *i.e.*, subjects in which marks could be obtained after a few months' study; (iii) the marks for Sanskrit and Arabic were too low compared with those for Greek and Latin. I have no personal experience of the present open examination, but I sometimes hear it said that it favours Oxford at the expense of Cambridge. The low marks for Sanskrit and Arabic are also open to criticism, as in the former rules.

11850. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—My answer is in the negative.

11851. (23) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions?]—My answer is in the affirmative. The Indian Civil Service must have reasonable security against the appointment of outsiders, either from home or from India. Without such security it will be impossible to attract good candidates. I do not recommend any alteration in the Schedule of 1861, particularly as such alteration could not be effected without legislation.

11852. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—There should not, I think, be any statutory regulation on this subject.

11853. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—It is probably right that Natives of India should have a double door. I am inclined to think, however, that the door opened by the Act of 1870 is too wide and is hardly fair to the Indians who have gone to the trouble and expense of passing the Indian Civil Service examination. I do not, however, advocate any legislation for the modification of the Act of 1870.

11854. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The system was not a success in Bengal, and I do not advocate its revival. The Notification of 26th August 1910 leaves a sufficiently wide discretion to the Local Government.

11855. (29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers and (*b*) others, and give details of the latter?—I served in Eastern Bengal and Assam from 1905 to 1912 and came into constant contact with the military officers of the Assam Commission. I was Director of Land Records for the greater part of the period in question and I toured in all the districts of the plains.

11856. (30) Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—My answer to the first question is decidedly in the affirmative. The most marked characteristic of the military officers with whom I came into contact was their sympathy towards all classes of the people. They were generally employed on executive duties. I understand that the Calcutta High Court was somewhat averse to their employment as District Judges. I know of at least one such officer who was anxious to be a Judge, and who would, I think, have done well in the post.

11857. (31) If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case may be and, if the system should be introduced or reintroduced, to what extent should it be adopted?—The introduction of the system into Bengal is not practicable. I am no longer connected with Assam, and I therefore refrain from making any recommendation about recruitment in that province.

11858. (35) To what extent during the last five years have listed posts been filled (*a*) by members of the Provincial Civil Service; and (*b*) by other "Natives of India"?—Please give the names and positions of the latter, if any?—I am not aware of any cases of (*b*), except the old class of "Statutory Civilians." Detailed information is in the Secretariat.

11859. (36) Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and, if so, in what directions?—*Vide* answer to last question. I do not think that any Local Government should be pressed to make use of this power, especially as it can only be used to the detriment of the Provincial Civil Service.

11860. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (*a*) to the members of the Provincial Civil Service and (*b*) to the public interested in this question, and what advantages, if any, does this arrangement possess?—I find that the officers of the Provincial Civil Service dislike the system, because no one knows until the time comes for selection as a district officer whether he is holding a listed appointment or an ordinary appointment. No one is given a special designation or treated in a special manner. No one is therefore put on his mettle to show specially good work in the earlier days of his service. I have had no discussion on this subject with members of the general public. I am not aware of the advantages, if any, which the arrangement possesses.

11861. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The present list is open to criticism, but I do not at present recommend any change.

11862. (39) Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—A fair comparison is with the Indian members of the Indian Civil Service. The selected officers of the Provincial Civil Service are, I think, inferior, both in mental calibre and in administrative resource, to the Indian members of the Indian Civil Service. The difference is such as might have been expected from the difference in training and experience. It must also be remembered that officers of the Provincial Civil Service have seldom been selected for "listed posts" until they are advanced in years.

11863. (41) Are there any other ways in which "Natives of India" are appointed in your province to Civil Service posts? If so, please give details of the same?—I only know of (i) the old Statutory Civilians and (ii) the members of the Provincial Civil Service selected for "listed" posts.

11864. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The period of probation in my time was most useful to us all. It extended to two or three years. I have asked many junior officers their opinion regarding the present probation of one year. I have never met one officer who regarded the period as useful.

11865. (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—(*a*) If the present age-limit be maintained, the period of probation should be abolished. (*b*) If a reversion be made to the age-limit of 17—19, there should be a probation of three years.

11866. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—Yes, in Britain; not in England.

11867. (46) If so, do you advise the selection of one or more universities for this purpose and for what reasons?—The bulk of the probationers will, as a matter of fact, gravitate towards Oxford and Cambridge; but it should be open to them to go to any of the older universities in Great Britain, provided that there is an adequate staff for teaching the special course. Subject to this condition, it would be invidious to draw distinctions.

11868. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes; I suggest £200 per annum, and a first-class passage to India. The allowance should be paid in instalments at the close of each term, with an initial payment for preliminary expenses. Payments should be subject to good conduct and good progress in study.

11869. (48) If you do not advise attendance at an approved university during the period of probation in England, what alternative course of study do you recommend? (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose and, if so, under what conditions?—[(48 and 49)] No.

11870. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a university course?—I agree with Lord Macaulay; but I have already stated that, if the present age-limit for the open competition be maintained, the probationary period should be abolished.

11871. (51) Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination and (*b*) under any modification of that system recommended by you?—The course prescribed in 1891 was generally admirable, but a classical language should be *compulsory;* also I would make it *compulsory* to remain for three years and to take a degree with honours either in Oriental languages or in law. The course now prescribed is universally regarded as useless; not because of its intrinsic defects, but because one year is too short for any useful purpose, and the probationers are too old to spare more than one year.

11872. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, and (*c*) Accounts?—(i) I strongly approve, (ii) I strongly approve, (*iii*) this is essential, but colloquial instruction should be omitted, (iv) I approve of (*a*) and (*b*), but would omit (*c*).

11873. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—In Britain.

11874 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—I prefer the universities.

11875. (55) What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—If (what I hope will not be the case) the present age-limit be maintained, and if (what I fear is a necessary corollary) the probationary period at a British university be abolished, then it will be necessary to train the probationers in India. I do not, however, recommend that this should be done at "centres." Each Collector should see to the training of his own assistants until the time comes for deputing them on "Survey and Settlement training camp."

11876. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London, 1909, the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I agree with the Treasury Committee. No scheme for instruction in India can be as satisfactory as a scheme for instruction at a British university, provided that the instruction at the British university is long enough.

11877. (57) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.—In my answers to questions (2) and (10), I have advocated "cadetships" both for Europeans and Indians. In the case of Europeans, the cadetships should be awarded, as is done in the Army, at the time of the open competition. In the case of Indians, the cadetships should be awarded about the age of fourteen. The Indian cadets should receive scholarships and should be sent to British public schools. The best Indian members of the Indian Civil Service are undoubtedly those who have been to British public schools. It would, I fear, be impracticable to make it a necessary condition that all Indians who appear at the open examination should have been at British public schools, but it is not desirable to do so in the case of the cadets. Moreover, if cadetships were allotted to Indians just before the open examination, it would be difficult to find young men of the manly races with sufficient education to pass the qualifying test. Many desirable candidates would inevitably be passed over. After the open examination (in the case of cadets, the qualifying examination) I would have a uniform course of training for all probationers, except perhaps in regard to Indian languages [*vide* question (59).]

11878. (58) In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—In Britain.

11879. (59) Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—There is no point in teaching his own vernacular to an Indian youth (unless he has left home so young that he has forgotten it), nor is it advisable that an Indian youth who has already a good knowledge of Sanskrit or Arabic should be placed in a class along with beginners. In such cases, the Indian might take up European languages, ancient or modern, which he did not take up at the open examination. It is a rather difficult question, and I cannot speak from personal experience. There were no Indians in my year. Apart from the question of Oriental languages, the course of study should be the same for all probationers.

11880. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangements in this province are:—(i) Personal instruction and advice by the Collector; (ii) the departmental examinations and study for the same; (iii) a cold weather spent in Survey and Settlement training. (i) Naturally depends much on the Collector. (ii) Is dealt with in question (61). (iii) Is of the utmost value.

11881. (61) Is the existing system of departmental examinations suitable and, if not, what change do you recommend?—I have little belief in the value of those examinations. They are most vexatious to the officers concerned, who are already quite sick of examinations. Moreover, when there was an adequate course of probation at home, both in law and in Oriental languages, the examinations in India were quite superfluous. An officer who desired to be an efficient servant of Government could have been trusted to read the local laws and to improve his colloquial knowledge of the vernacular. An officer who had no such desire would obtain no real benefit from the departmental examinations. The inadequacy of the present course of special training at home gives some *raison d'être* to the departmental examinations, and if such course were abolished the *raison d'être* would be stronger. Even then, I would prefer to leave the initial training in the hands of the Collector and to rely on his personal certificate. The selection of the Collectors who are to receive young Civilians would then become even more important than before.

11882. (62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—On the whole there has been such deterioration. It is due to the inadequate course of probation at home. If the European members of the Indian Civil Service are thoroughly grounded in Oriental languages at home, all those who have a taste for languages will attain adequate proficiency after coming to India.

11883. (63) Do you recommend any changes in the rules for the encouragement of the study of the Oriental languages and, if so, what changes?—I have always regarded the whole system of language rewards as a somewhat degrading kind of "pot hunting." Increased facility in work and increased knowledge of the people are sufficient rewards for any conscientious officer, and I see no reason for catering for officers of another kind.

11884. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I have already recommended [question (51)] that each probationer should take an Honours degree either in law or in Oriental languages. I also recommend that each probationer should join the English, Scots, or Irish Bar. This will be practicable during the probationary period for those who decide to take their degree in law. As regards those who decide to graduate in Oriental languages, they might be allowed to postpone the joining of the Bar until their first furlough. The fees should be advanced by Government, to be afterwards deducted in easy instalments from the pay of the officer concerned. I do not think that any course of legal study, short of a full call to the Bar, would be adequate. I would make no distinction between different branches of the Service. In modern times a good knowledge of law is almost as important to a Revenue officer as to a Judge. The question of status in the eyes of the local Bar is also of much importance.

11885. (65) Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—No, if my other recommendations, or something similar, be adopted.

11886. (66) Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give details?—If possible, all Civilians should act as Sub-Judges for at least one year before confirmation either as Collectors or District Judges. In both cases, the experience would be of the utmost value. Civilians should have at least six years' service before they are deputed to act as Sub-Judges. I need hardly say that with the cadre at its present strength I fully recognize the difficulty of arranging for the proposed deputation.

11887. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

11888. (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No, except in the study of Indian languages and the examinations (if any) in the same.

11889. (69) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—In the system which I recommend the officers recruited as "cadets" and the officers recruited by pure competition would be on exactly the same footing both in the preliminary training at home and the subsequent training in India. The distinction in the matter of language-study and language-examination would be between Indians and non-Indians, rather than between cadets and non-cadets.

11890. (70) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—Those who are not pure Indians should be treated in the matter of language-study and language-examination exactly as pure Europeans.

11891. (72) The present theory underlying the conditions of service in the Indian Civil Service is that (*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects, the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per mensem, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—On the whole, I accept the system and the standard of eight years. If the age for recruitment be reduced to 17—19, and the period of probation be extended to three years, no alteration seems necessary.

11892. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—On the whole I accept this.

11893. (81) Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—Many officers are now placed in charge of subdivisions after 1½ year's service, or even less. Personally, I was placed in charge of a subdivision after seven months' service. I held it for several months. I was placed in permanent charge of another subdivision when I had a total service of 15 months. I held it till I began to act as Collector, my total service being then about 3½ years.

11894. (85) Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—It is probably an adequate system, but the members of the Service should be informed when the examination is about to take place. A formal notification should be published in the local gazette and representations should be invited.

11895. (87) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am in favour, as far as possible, of promotion by seniority. I would not pass over an officer unless he is really bad. The idea of "compulsory retirement" has always struck me as dangerous. I have cases in my mind, but prefer to mention no names, in which the general feeling of the Service is that senior men have been unnecessarily superseded by juniors.

11896. (88) To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The case can be fully stated by the Secretariat. At present the officers of the Judicial Branch of the Indian Civil Service perform purely judicial functions, while the officers of the Executive Branch sometimes perform both executive functions and judicial functions. On the more or less academic question as to whether this is right or wrong I have no remarks to offer. It is not a burning question in the mufassal. Not one man in a thousand knows that there is such a question.

11897. (89) Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—There is a great deal to be said for the old system under which promotion was from Collector to Judge and from Judge to Commissioner.

11898. (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—I think the people about the middle of the cadre* express most dissatisfaction with their pay.

11899. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province and, if so, what?—I consider it desirable that there should be such uniformity as far as possible, but I do not remember to have heard much dissatisfaction on this score either in Bengal or in Eastern Bengal and Assam.

11900. (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—For simplicity of accounts, it should be retained but should be merged in the pay. Future entrants should obtain the benefit.

11901. (96) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—I would grant the increase to all members of the Indian Civil Service.

11902. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I reserve my opinion. There is a demand for a time-scale in the Punjab, but I have seldom heard the question discussed in this province, so far as the Indian Civil Service is concerned.

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* Indian Civil Service cadre.

11903. (101) What is your experience of the practical working of time-scales of pay in other Indian Services?—I know that certain Departments (*e.g.*, the Survey Department) have now a time-scale. My general impression is that the officers concerned prefer this system to the pre-existing system; but beyond this I can offer no remarks. I have not studied the question either in my own Service or in other Services.

11904. (104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—I would give them the same salary as members of the Indian Civil Service. Every labourer is worthy of his hire.

11905. (107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—As privilege leave can now be combined with furlough, it is taken sooner or later. But the rule, by which an officer ceases to earn privilege leave after he has accumulated a maximum of three months, works hardly and should be abolished.

11906. (108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—As a general rule officers do not take all the furlough which is due to them. I would not, however, reduce the amount now permissible.

11907. (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates are inadequate. I recommend that instead of "half his average salary" an officer should draw "two-thirds of his average salary." The increased cost should be distributed equally between the State and the members of the Service. I also recommend the abolition of the maximum of £1,000 per annum.

11908. (110) Do you recommend any change in the concession granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s*. 6*d*. the rupee? If so, what change?—I do not propose any change.

11909. (111) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees and, if so, what change?—I would abolish the maximum, but retain the minimum of £500 per annum. When the furlough is paid in India (this seldom happens), the maximum should also be abolished and the minimum should be the equivalent of £500 per annum, *i.e.*, Rs. 625 per mensem.

11910. (114) In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service and, if so, how can this difficulty be met?—Officers serving in unpopular districts sometimes take leave in the hope that on the expiry of leave they will be transferred to better districts. I should like to see a system under which Collectors and Judges are posted to particular districts for at least five years. An officer who takes leave during this period should return automatically to the district concerned.

11911. (115) Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—The restrictions regarding the intervals between leave are vexatious and should all be abolished. Provided that the officer has earned the leave applied for, it should be open to the Local Government to grant it, irrespective of the interval since the previous leave of any kind.

11912. (116) Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I have not discussed the question with any of the officers concerned; but I should be inclined to place them on the same footing as members of the Indian Civil Service. The concession should take effect after confirmation in the Statutory or listed Service.

11913. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, but I think every one would like to see the annuities of Lieutenant-Governors raised by 50 per cent. compared with those of other members of the Service.

11914. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I think not.

11915. (120) Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working and, if so, what, and for what reasons?—Owing to the increased cost of living at home, I consider that the annuity of £1,000 is quite inadequate, particularly for married men. I am strongly of opinion that it should be raised to £1,500 per annum, the increased cost being distributed equally between Government and the members of the Service. I have refrained from recommending an increase in the working pay of the Service, because I consider that furlough, pay and pension are far more important. If an officer does his duty in India, it is practically impossible for him to save money. When he goes home he must therefore rely on his furlough pay or his pension, as the case may be. The actual value of these allowances is probably about one-half of what it was when the scales were fixed.

11916. (121) In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as

Judges? Do you recommend any change in the present conditions?—If the pension in the Service generally be raised to £1,500, there is no necessity for special rules in the case of High Court Judges. Moreover, I am not sure that it is to the advantage of the Administration that officers should be tempted to "hang on" in the hope of an increased pension.

11917. (122) Do you consider that a similar system should be applied to the cases of high Executive officers and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—See my answer to question (118) I would confine the special pensions to Lieutenant-Governors.

11918. (123) Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—I have not recommended such a system and I am not prepared to suggest details.

11919. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I regard the system of "compulsory retirement for inefficiency" as dangerous; but if such a system is introduced, the pension should be on a scale not lower than that laid down for the time being, in respect of officers who retire early upon medical certificates.

11920. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I approve of compulsory retirement, as at present, after 35 years' service. As regards voluntary retirement, I think that an officer should be allowed, as at present, to retire on full pension after 25 years' service. I do not, however, think that the "acceptance" of his resignation should be a necessary condition. It should be a matter of right. On the other hand, I think that all officers should be allowed to retire at any period between 10 and 25 years' service on a reduced pension. No medical certificate should be necessary, but an officer retiring *without* a medical certificate should draw a lower pension than one retiring *with* a medical certificate. The pension in one case should be about two-thirds of the pension in the other case. When an officer wants to retire prematurely *without* a medical certificate, it should be open to Government to accept or to reject his resignation. As a matter of policy, such resignations should, I think, generally be accepted. It is not to the interest of India that officers should be retained whose hearts are not in their work.

11921. (127) Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—In my answers to earlier questions I have recommended that officers in the Statutory Service should enjoy the same pay and leave rules as members of the Indian Civil Service. I recognise, however, that the matter of pension is on another footing. I am not prepared to criticise the present special rules (article 566 of the Civil Service Regulations), which determine the pensions of these officers.

11922. (128) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—My remarks in the last answer apply, *mutatis mutandis*, to the case of the Provincial officers who hold "listed" posts. I take it that article 566 of the Civil Service Regulations does not apply to these officers.

11923. (129) Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—If possible, the pension of the widow of an Indian Civilian should be raised from £300 to £500 per annum. It might perhaps be optional with an officer to declare at the time of marriage for the higher or lower scale of pension for his widow. His contributions to the fund would be regulated accordingly. Provision might be made for an officer raising the pension of his widow from the lower to the higher scale.

11924. (130) In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I see no valid reason for the exclusion of "Natives of India." Such officers are rarely, if ever, polygamous; but special rules could easily be framed to meet such cases.

11925. (131) Do you recommend that such admission should be optional or compulsory?—Optional.

Written answers relating to the Provincial Civil Service.

11926. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are generally suitable. They leave a wide discretion with the Local Government.

11927. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Apart from promotions, the present system is one of pure nomination (*vide* Bengal* Rules of 20th August 1912). There is a widespread opinion which, on the whole, I am inclined to endorse, that the officers now selected by nomination are intellectually of a lower calibre than those formerly selected by open competition. In view of the political state of the country I do not, however, advocate a reversion to pure competition for any of the vacancies. In the first place, the most important reform which I advocate is the amalgamation of the Subordinate Executive Service with the Provincial Civil Service. Taken as a body, there is very little difference between the two Services in the matter of the qualification of the recruits. In fact, those entering the Subordinate Executive Service are often superior to those entering the Provincial Civil Service. It is most galling to a man to see another man, whom he has surpassed at the university, placed at once in a position to which he himself can only attain after many years of drudgery. The two Services should be amalgamated, the lowest grade being placed at Rs. 200 per mensem. The total annual vacancies would then be 22. I would fill up the vacancies as follow:—

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* *Vide* p. 822.

Open competition among candidates nominated by District Officers	9
Promotions from other Services (Settlement Kanungos, etc.) ...	8
Governor's cadetships	5
Total ...	22

The qualifications for the District Officers' nominees should be those contained in the present rule 8. I would not restrict (at least in the first instance) the number of nominations to be made by each District Officer. Further, I would reintroduce the E.B. & A. rule by which a District Officer can nominate a candidate who has accepted a temporary post under Government in preference to sitting idle while waiting for an appointment in the Provincial Civil Service. This was a most salutary rule, introduced at my suggestion, and I do not know why it has dropped out from the Bengal rules. In the open competition, places should be reserved for different races and religions, probably also for different divisions. The cadetships would be analogous to those which I have advocated for the Indian Civil Service. The cadets would pass a stringent qualifying examination.

11928. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—The first question is for the Secretariat. My answer to the second question is in the affirmative.

11929. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Muhammadans are not duly represented. As more than half the population of Bengal is Muhammadan, at least half of the Provincial Civil Service should be Muhammadans. At present about one-fifth is Muhammadan. I think that three Muhammadans should be recruited for every two Hindus until the disparity is rectified. At present the paucity of Muhammadans is much more marked in the higher grades than in the lower grades. I do not, however, recommend that a preference should be given to Muhammadans in the matter of promotions *within* the Provincial Civil Service, nor in the matter of promotions from other Services *to* the Provincial Civil Service. Promotions should never be made on racial grounds and should never be based on the claims of fathers and relatives. As among Hindus, the claims of the lower castes were formerly very much neglected. This matter is now receiving the attention of Government. It should never be lost sight of.

11930. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—I would only repeat my remarks against question (60) (Indian Civil Service).

11931. (10) Is the existing system of departmental examinations suitable and, if not, what changes do you recommend?—What I have written under question (61) (Indian Civil Service), applies, *mutatis mutandis*, to the officers of the Provincial Civil Service. They are now much in the position in which the young Civilians would be if they came out with no special training. Careful initial training by the Collector, a personal certificate from the Collector regarding the probationer's knowledge of law and accounts, and a thorough course of survey and settlement training are, I think, sufficient without a departmental examination.

11932. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—This matter was dealt with in rule 13 of the Eastern Bengal and Assam Rules of 10th June 1909. The rule was, I believe, generally enforced. There is no corresponding rule in the Bengal Rules of 20th August 1912, but I presume that this does not indicate a change of policy. Personally I would give promotion, even to the higher grades, on the ground of seniority, subject to the rejection of the obviously unfit.

11933. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am in favour as far as possible of promotion by seniority. The idea of "compulsory retirement" has always struck me as dangerous. In every case of "selection" for a higher grade, I have no doubt that Government has duly considered the interests of individual officers and of the Administration; but the result has always been heart-burning and discontent, and I feel that more harm than good has resulted. In the case of special appointments, calling for special qualities, selection is of course essential.

11934. (18) To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—My remarks under question (83) (Indian Civil Service) apply, *mutatis mutandis*, to this question. (*P.S.*—I should perhaps refer here to the system under which

Munsifs are deputed to act for two seasons as Assistant Settlement Officers. The system is working excellently and is of great advantage both to the munsifs themselves and to the Settlement Department.)

11935. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to the posts suitable? If not, what alterations do you suggest?—*Vide* my answers to questions (25) and (33) (Indian Civil Service).

11936. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—*Vide* my answer to question (37) (Indian Civil Service).

11937. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87 and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle laid down in 1886-87 rather savours of "rack-rent". Apart from the question whether the bait is sufficiently alluring to a young man, it is right to consider whether in after years the officer will in fact draw a salary on which he and his family can live in comfort and reasonable dignity.

11938. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—On the whole I think they are adequate both as an initial bait, and on the other considerations indicated in my answer to question (22). The pay of the second grade might, however, be Rs. 750 and the pay of the first grade Rs. 1,000 per mensem.

11939. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service?—If not, what alteration do you recommend?—The members of the Provincial Civil Service undoubtedly considered it a grievance that they do not get officiating appointments in higher grades; *e.g.*, when officers are deputed to settlement duty. I do not think, however, that they realise that the cadre was constructed on the assumption that officiating appointments should *not* be made. The settlement posts form part of the cadre. They might have been considered as outside posts, but in that case they would have been excluded from the cadre and there would be no vacancies to fill up. The problem, so to speak, is as broad as it is long. I imagine that the case of leave-vacancies is on a similar footing: the papers on the subject have no doubt been submitted by the Secretariat.

11940. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—Please see my answer to question (99) (Indian Civil Service). Although the question has seldom been discussed in connection with the Indian Civil Service in this province, I understand that the officers of the Provincial Civil Service have discussed it and are in favour of it. I think there is more to be said for the proposal in the Provincial Civil Service than in the Indian Civil Service, but in both cases I reserve my opinion. If a time-scale were introduced in the Provincial Civil Service, it should not, I think, be confined to the lower grades.

11941. (28) What is your experience of the practical working of time-scales of pay in other Indian Services?—*Vide* my answer to question (101) (Indian Civil Service).

11942 (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various appointments?—*Vide* question (104) (Indian Civil Service).

11943. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Privilege leave is practically the only leave taken by officers of the Provincial Civil Service, except leave on medical certificate in cases where the privilege leave is insufficient for their recovery. Officers of the Provincial Civil Service generally take their privilege leave sooner or later, but they often suffer by reason of the three months' limit. I have recommended the total abolition of this limit in the case of the Indian Civil Service question (107). In the case of the Provincial Civil Service, the limit might be raised to six months.

11944. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—These officers very seldom take furlough. Article 338 might, however, stand.

11945. (38) In particular, are they a contributory cause of excessive transfers of officers and, if so, how can this difficulty be met?—My answer to question (114) (Indian Civil Service) applies here also; but I am not sure that the remedy which I suggested in the case of Indian Civil Service officers would be suitable in the case of Provincial Civil Service officers.

11946. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—See my answer to question (115) (Indian Civil Service). The restrictions regarding intervals between leave are vexatious here also. The differences between the leave rules for the European and Indian Services are generally suitable. European members of the Provincial Civil Service, even if they are Statutory "Natives of India," might, however, be allowed the benefit of the European leave rules and their furlough pay might be two-thirds of their average working pay. The small extra cost should be borne by the State. In the interest of health and efficiency, European members of the Provincial Civil Service should be encouraged to take furlough in Europe, even though they are "domiciled" in India.

11947. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—My answer to question (124) (Indian Civil Service) applies *mutatis mutandis*.

11948. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—*Vide* my remarks to questions (127) and (128) (Indian Civil Service).

11949. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—In place of the rules contained in articles 459 and 464 of the Civil Service Regulations, I consider that the rules applicable to Indian Civilians should be substituted generally, *i.e.*, full pension after 25 years of service and compulsory retirement after 35 years of service. These rules should be *strictly* enforced, as in the case of the Indian Civil Service. The present system of "extensions" creates uncertainty and confusion and is demoralizing to all concerned. My remarks at question (125) (Indian Civil Service) apply also to the Provincial Civil Service.

11950. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially-recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The Government General Provident Fund is, I understand, a popular and useful institution. This question can, however, be answered better by the officers immediately concerned. The Accountant-General is no doubt supplying statistical information.

11951. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I would only reiterate my suggestion [(*vide* question (6)] that the Subordinate Executive Service should, at least in this province, be amalgamated with the Provincial Civil Service.

MR. N D. BEATSON-BELL called and examined.

11952 (*Chairman.*) You are Commissioner of the Dacca Division, are you not?—Yes.

11953. You suggest, in answer to question (2), that a proportion of the vacancies in the Indian Civil Service might be reserved for cadets nominated by the Secretary of State, the cadets being the sons of officers who had served Government?—Yes, a certain proportion of the vacancies each year should be reserved for cadets, as is done in the case of the Indian Army.

11954. Such cadets would have to pass a qualifying examination of a more lenient character than that of the open competition?—It would be on the same papers, but the successful cadets would have to secure a minimum number of marks.

11955. What particular object have you in view in making this suggestion?—I think it is a system that works well in the case of the Indian Army, and I think it would be a good system if we were to have more Natives of India in the Indian Civil Service. You would get a very good class by means of this system.

11956. Do you think it is a proposal likely to meet with the acceptance of Parliament under modern conditions?—I quite understand people saying that it is somewhat retrograde, but personally it appeals to me.

11957. It is more a theoretical proposal than a practical one?—I should say it was a practical proposal.

11958. For the remaining vacancies in the Indian Civil Service you recommend a continuance of the present system, mainly because of the practical difficulties in the way of any selective system?—Yes.

11959. You are opposed to the institution of simultaneous examinations?—Yes.

11960. And you are also opposed to any form of separate examinations?—Yes.

11961. But you would continue the present system of promoting officers of the Provincial Civil Service to listed posts?—Yes.

11962. Would you suggest that any more appointments be listed?—No, I think the allowance is fairly ample at present.

11963. Do you consider that the permissible standard of recruitment for Indians should be raised above one-sixth?—Not yet.

11964. You regard that as sufficient at present?—Yes, I think things are very well as they are.

11965. You recommend a low age-limit for entry into the Indian Civil Service?—Yes, the age which was in force at the time I got in, 17 to 19, I think was a good system.

11966. You say that on the whole you think Indian parents would prefer that?—I think so.

11967. Was it not rather to meet the views of Indian parents that the age was raised?—I was not aware of that; there were various reasons given.

11968. What is your reason for saying that it will meet the views of Indian parents?—It is a good deal on the ground of expense. If they had to give a university education to their sons here and then send them to England, it would be more expensive than if they sent them straight from school.

11969. You think there would be no reluctance on the part of Indian parents to send their sons to England at that age?—There might in some cases; I admit it is an open question. I do not say that the opinion would be universal on this point; but on the whole I should think 17 to 19 would be more popular.

11970. You think it important to consider the wishes of Indian parents?—Yes.

11971. And you would also regard the convenience of the Indians who competed?—Certainly. But after all the Indian Civil Service should be considered as essentially a British service and the opinions of Indian parents, while being taken into consideration, should not be taken into consideration too much.

11972. Do you think that, from the administrative point of view, the country would be better served if the age-limits were reduced?—That is my opinion.

11973. Is that founded on your observation of what is taking place now?—Yes, from my knowledge of my brother officers.

11974. You think they did better when they came out earlier?—I think so.

11975. How many years ago was it when the age-limits were between 17 and 19?—1891.

11976. And you think that the men who came out then were better than those who come out now?—Yes, I said in my written answer, that "Good, bad and indifferent officers have come out under both systems. The general education of the later batches is superior to that of the earlier batches; but the special education of the earlier batches, particularly of those who went through a three years' probation was much better. The earlier batches were more disposed to look at things from an Indian standpoint." They did not come out so petrified, if I might say so.

11977. With your low age-limit you would have a three years' probationary period?—Yes.

11978. What do you think would be the best way of filling up the time of probation?—I would have a course very similar to that which I had in my time. We did Indian languages and law, Indian History, Jurisprudence, Political Economy, and various subjects of that sort; and in the third year we studied and took our degree, those of us who received permission to do so. Personally I took my degree in Indian languages while many of my contemporaries took it in law.

11979. You did not find that the three years' course was too long?—No, we had not already gone through a university course.

11980. You consider that a three years' course is better than two?—I think so.

11981. As you may know, we have had evidence pointing towards two years?—I think three is better still. I would not give a three years' course if a man had already done a university course. The people I am speaking about are the people who have not done a university course. It is most desirable that they should be three years at the university.

11982. You say you are against the compulsory retirement of inefficient officers?—I admit that my opinion is perhaps not the general opinion.

11983. What is your reason for coming to that conclusion?—It would create a sense of insecurity in the Service and make it more unpopular if it were known that a man could be turned out at the bidding of a man who happened to be in power at the time.

11984. Do you not think that some system could be introduced which would avoid such dangers?—A system could be brought into practice which would mitigate them; for instance, a man might have a right of appeal to a Board.

11985. Would you not suggest that an officer, who has been proved to be inefficient should, under fair conditions, be replaced by some one who would carry on the work of Government efficiently?—At present he can be turned out for grave misconduct. A commission is sent down to enquire. I remember several cases of this kind. But for general inefficiency, I should generally be inclined to suffer him.

11986. You would give the benefit to the individual?—Yes.

11987. You recommend that furlough rates should be two-thirds of the average salary?—Yes.

11988. Then you go on to say that the increased cost should be equally distributed between the State and the members of the Service. How would that be done?—In order to get this boon, I should be quite willing that our monthly contributions should be increased.

11989. Do you think that would be popular in the Service?—No, but if they got their money's worth it would not be really unpopular. We should, of course, prefer to get it for nothing if we could, but I would rather pay for it than not get it at all.

11990. It is rather a personal opinion of your own?—Yes, this is my personal evidence.

11991. You are not giving an opinion based upon any wide knowledge of the opinion of the Service generally?—No.

11992. You suggest that officers should be allowed to retire at their own request on proportionate pensions after ten years' service?—Yes.

11993. That is an innovation, too, is it not?—That is an innovation.

11994. It would involve a very considerable increase in the non-effective charges, would it not?—Yes, but I think if a man is unwilling, it is not much use keeping him on; he is not worth keeping.

11995. But might not a suggestion of that character, if put into practice, tend to induce officers to leave who otherwise would not have thought of retiring?—I do not think it would be very largely availed of.

11996. In answer to question (114) you say, "Officers serving in unpopular districts sometimes take leave in the hope that on the expiry of leave they will be transferred to better districts. I should like to see a system under which Collectors and Judges are posted to particular districts for at least five years." Would not that necessitate a considerable change in the administrative arrangements of the Service?—It would be difficult, I admit, to carry out, but I should like to see appointments made for five years.

11997. To carry it out would involve a complete rearrangement of ideas?—It would be very difficult. I have acted as Chief Secretary and know the difficulty of these things.

11998. You suggest that if it came to alternatives you would prefer to see furlough pay and pension increased rather than working pay?—Yes.

11999. You think, on the whole, that would be more to the officer's advantage?—Yes; that is where the shoe pinches, when we go home. We manage to rub along somehow out here, but when we go home we find it very hard to make both ends meet.

12000. You think the chief advantage to an officer is to be able to look forward to a substantial pension?—That is to my mind the most attractive thing.

12001. What would be the opinion of the Service as to this?—I should think it would be divided. Some people would take the immediate pay and some would prefer increased pension and furlough.

12002. I see you make another large proposal, in answer to question (6), for the amalgamation of the Provincial Service and the Subordinate Service?—Yes.

12003. Does that mean, apart from the cadets you speak of, that the whole Service would be open to one system of recruitment?—Yes.

12004. The whole combined Services?—I have explained in my written answer to question (6) exactly how it would work out in practice; there would be 22 vacancies every year.

12005. Are not the duties of officers at the head of the Provincial Civil Service and at the bottom of the Subordinate Service respectively very different?—Not very much, apart from those who are holding special appointments. They all do Revenue and Criminal work.

12006. What have you particularly in your mind in suggesting the amalgamation of these two Services?—The present discontent among the Subordinate Service. The men there are just as good as those in the Provincial Service, and they have to work on very low pay with great drudgery for six or seven years before they come into the Provincial Service, and it creates a feeling of discontent from the very first. I have discussed this with many officers of both Services and I have never heard anyone against the amalgamation; they are unanimously in favour of it.

12007. You would raise the pay of the Subordinate to that of the Provincial Service? Yes.

12008. Have you worked out the cost of that?—No.

12009. It would be rather costly, would it not?—Not very; the members of the subordinate service start at Rs. 100 and in my scheme they would now start at Rs. 200.

12010. (*Lord Ronaldshay.*) In answer to question (2), you say that in the matter of cadetships for the Indian Army there is now an automatic system which practically excludes the element of jobbery?—Yes.

12011. Could you describe it very briefly?—They give so many marks to the boy's father for every year of the father's service; so many marks for every campaign he has been in and for every decoration he has received; and they add the marks up and give the cadetships to the boys whose fathers come out top.

12012. And you would advocate that for filling some of the vacancies of the Indian Civil Service?—Something of the same system.

12013. In answer to question (6), you say that a system of selection of head masters of schools would produce on the whole better men than those produced under the present system?—I think so.

12014. If we have to recommend any alteration of the present system we have to have some very definite reasons for doing so; could you tell me why you think an alteration of the present system would be desirable? Is it that the men whom you are getting under the present system are not as well qualified as they might be for their duties?—Some of them are not, but I think you can always trust the head master of a public school to send you out only first-class men. You would not have any bad eggs, and we do have a certain number of bad eggs at present.

12015. Under the present system, you get a certain number of these undesirable men?—Yes.

12016. If it were found practicable to suggest an alteration of the present system, you really think it would be desirable?—You would get a very good class of men, but as I have said here I cannot see any possibility of doing it.

12017. I know you do not think it is practicable, but supposing it were considered by other people to be practicable, do you think it really desirable?—Yes, if it were considered practicable, but I do not see how it can be done having regard to all the schools in the Colonies and in Great Britain and in India.

12018. If we make a recommendation that will be for us to consider?—I quite understand that.

12019. You say you think the officers of the Provincial Civil Service holding listed posts ought to receive the same pay as members of the Indian Civil Service doing similar work?—I think so.

12020. Do you think that should apply to the inferior listed posts as well as the superior listed posts?—I think so. If a man is fit to take the post, he is fit to take the pay.

12021. But in the case of the inferior listed posts, you get a man filling a post which is called listed and receiving higher pay than a man who is filling another post which is not called listed, but which, as a matter of fact, for all practical purposes is identical?—You mean among the Deputy Magistrates in the Rs. 600 grade, and so on?

12022. Yes, and among the Deputy Collectors. Would not that create a great inequality in the ranks of the Provincial Service?—That is another question; at present the Deputy Magistrates and Deputy Collectors, who hold listed posts, do not know that they are holding them.

12023. I quite agree with you that they do not know they are holding the listed posts, and the reason that they do not know I suppose is that their duties are absolutely identical with the duties performed by other members of the Provincial Civil Service?—Yes. No one knows who is holding it.

12024. There is no distinction between them?—No.

12025. If you are going to pick out a certain number of these posts and say that they should be paid at the higher rate, and if the duties are precisely the same and discharged by means of the same Service, would you not create a great deal of difficulty within the ranks of the Service itself?—A man who is holding a post of Joint-Magistrate would be called a Joint-Magistrate and receive the pay of a Joint-Magistrate. I think there would be a certain jealousy amongst those who did not get these posts (that is the argument against it) but, as I said before, unless they are taken from an early stage, they are not really on their mettle.

12026. You make a suggestion in which I am personally interested; namely, that Indians should be sent to English public schools. Have you had any personal knowledge of Indians who have been to English public schools?—Yes.

12027. On the whole, do you think they imbibe what is known as the English spirit very much more thoroughly than the Indian who merely goes to England for a university career?—Certainly.

12028. You think it would be therefore a very good thing, if it were practicable, that all Indians who aspire to enter the Civil Service through the English door, should not only pass a certain part of their educational time at an English university but should also pass it at an English public school?—If such a scheme were considered practicable, I should welcome it.

12029. Would you be in favour of some system of scholarships?—That is what I propose in regard to cadetships, that the cadets should be taken about the age of 14 and receive a scholarship. If it could be made universal, not only for those who come in as cadets, but for those who come in by the open door, I should be very glad to see it.

12030. You say you do not recommend that any instruction in accounts should be included in the probationer's curriculum?—I do not think it is necessary.

12031. We have had evidence put before us which suggests to my mind that it would be really very desirable that some instruction in accounts should be included in the curriculum given during the probationary period. For instance, one of our witnesses to-day said that, to the syllabus of 1891, he would add an examination in accounts, that there are few instances in which a Civilian is not a custodian of public money. You agree to the last part, do you not?—Certainly he has always got to handle money.

12032. And it would be a great advantage to him to have some training in account-keeping?—I think it would be sufficient if he did that when he came out. He would understand the books better when he saw them in actual working rather than by listening to somebody giving theoretical lectures at Oxford with blank account-books.

12033. You think he would get sufficient knowledge when he comes out here?—Yes.

12034. (*Sir Theodore Morison.*) You have served on a commission with military officers?—Yes, in Assam.

12035. Did you find they were looked down upon by their brother officers because they entered by a back door?—No.

12036. Civilians did not despise them for not having passed as high examinations as themselves?—Not at all.

12037. In answer to question (107), I see you suggest that the maximum of three months' leave should be abolished?—Yes.

12038. Would you have any limit up to which you would accumulate privilege leave?—I think it is hardly necessary. In practice a man would not run it up to more than six months. I would have a limit in the Provincial Civil Service possibly, where they do not take leave so much, but in the Indian Civil Service a man would seldom run beyond six months at the outside, and if he has earned the leave I do not see why he should not get it.

12039. Do you not think that 5½ years without a holiday is rather long?—I do.

12040. May not some officers be driven by motives of economy and family reasons to strain their health?—The temptation might be great, I admit there is that; but I also proposed that the men should get increased furlough pay.

12041. You would object to the suggestion made to us in Madras that a man should be compelled to take his one month's privilege leave every year?—I would not make it compulsory.

12042. (*Mr. Gokhale.*) I want to understand your scheme about cadets. Would you take cadets from England as well as from India?—Yes.

12043. How many English youths would you take and how many Indian?—The Secretary of State would make a rule from time to time, as he does in the case of the Army cadets. To begin with, I thought we might have one-third Indian and two-thirds British.

12044. (*Mr Sly.*) You have given us some very strong views in favour of class representation in the Provincial Service, and I should like to know why you consider that of so much importance?—I consider it almost a public scandal that the posts of Deputy Magistrate and of Munsif should be confined to two or three castes. It creates grave discontent among the other castes who are excluded.

12045. Discontent because they have not got particular posts or discontent because they are judicially affected in other ways, or what?—First, because they have not got their share of the loaves and fishes, and, secondly, because they think their cases are not sympathetically dealt with by officers of other castes.

12046. Have you had any experience that would lead you to believe that is the case?—Yes, that is my view.

12047. What is that impression based upon?—It is based upon conversations with raiyats.

12048. You were employed, I believe, as a Special Magistrate in the Mymensingh riot cases?—I was.

12049. Can you tell us what was at the bottom of those riots, and what was the general result of your enquiry into them?—The general result of my enquiry was that the Hindu money-lenders had oppressed the Muhammadan *raiyats* beyond endurance. The final touch was when Hindu money-lenders forced the Muhammadan *raiyats*, when they had a loan of Rs. 10, to pay down so many annas for the support of the Hindu idol.

12050. The class feeling between Muhammadans and Hindus in Mymensingh was very bitter, was it not?—Extremely bitter.

12051. Did that in any way prejudicially affect the class and caste of the Government officer employed in that district?—The officers who were deputed along with me to try these cases were Muhammadans. This was especially done by Government in order that the accused should see they were not getting an officer to try them who would be prejudiced against them. The Muhammadans convicted their fellow Muhammadans.

12052. Was there a strong prejudice amongst the people in regard to the class or caste of the officer who tried these cases?—I think the accused in these cases saw that they would get fair play when they had a Muhammadan trying them. If a Hindu had been trying them, I am sure the first thing they would have done would have been to move the High Court for a transfer of the case to a European officer.

12053. Most of these transgressors were Muhammadans on this occasion, were they not?—Yes.

12054. And the Government considered it essential that so far as possible all those cases should be tried by Muhammadan officers?—Or European officers.

12055. Because of the great prejudice that would have been caused if they had been tried by Hindu officers?—Yes.

12056. You have a great many annual confidential reports of officers through your hands every year I believe?—Yes.

12057. Confidential reports of their work?—Yes.

12058. Can you tell me whether it is or is not a rule of Government that any remarks prejudical to an officer's interest contained in those confidential reports shall be communicated to him?—I am not sure in regard to Bengal as now constituted. In Eastern Bengal where I was until recently it was not the rule. There was a discussion and it was decided that the remarks should not be communicated.

12059. (*Mr. Macdonald.*) Am I to understand the idea of racial impartiality is that when Muhammadans are accused Muhammadans judge them?—No, not necessarily; but I think it is better in cases of a religious nature that the trying officer should be of the same caste or class as the accused rather than of the caste complaining. It would be best of all that the accused should be tried by a European, and all the big cases in the Mymensingh riots were tried by Europeans; but I think it is better the bias should be with the accused than against him.

12060. Supposing they had been Bengalis who were accused?—These were Bengalis.

12061. I mean Hindus. Have you had experience of Hindus being sent down under such circumstances to try the accused?—I have not had personal experience of such a case.

12062. With reference to the nominations, you say that you believe head masters of public schools would do it much better than university authorities?—That is my impression; they know the boys more thoroughly than a don can know a man in a college.

12063. How would you define a public school?—I believe there is a list of public schools. There is the Public Schools Club which I know has a recognised list of what it considers to be public schools.

12064. Would you take the view that those who can go to a public school are confined to a much narrower class of society than those who can go to a university?—In Scotland, certainly.

12065. It would be so in Scotland?—Yes.

12066. If you confine the nomination to boys attending public schools, you practically cut out Scotland altogether except one or two Episcopalian schools?—The Edinburgh Academy is a public school. It is considered to be such in the Public Schools Club.

12067. Would you say in the same way that a Board School was a public school?—It is so, I think, under the definition in the Act. But I do not remember to have recommended that nominations should be confined to public schools.

12068. You say that head masters of public schools would be better authorities, and I thought perhaps you were going further than you intended to go?—Certainly I do not wish to exclude the Scottish schools.

12069. There are public schools in the other sense, such as the schools under the London County Council, where scholarships are given and children of the working classes can be sent up to the university. Would you include such London County Council schools?—I do not see how a list could be made. I was thinking of those very schools when I gave my answer.

12070. You refer in your answers to the earlier batches being more disposed to look at things from an Indian standpoint. I suppose that you think if you went back to the three years' probation we could give a training which would enable successful candidates to look at things from an Indian standpoint more than they do now?—Yes.

12071. In your experience do you find that it is just as important that a man who comes out here should look at things from an Indian standpoint as that he should have passed a high literary examination at home?—I have no great belief in examinations.

12072. Do you find any defect in this way that men, who are very admirable and very able and very clever; nevertheless out here, never seem to be able to fit themselves into Indian conditions and breathe naturally the Indian atmosphere?—There are such cases.

12073. Do you think it is very important that, when a man has confirmed shortcomings in that respect, he ought not to be encouraged to remain in the Service?—He may be put into posts where these things do no great harm, some Accounts post or something of that sort, where he would not have to exercise great tact or anything of that kind.

12074. If those people get promoted and put into the higher offices, more particularly responsible Secretariat places, you would say that was a grave defect of the Government?—He would not do very much harm by being in the Secretariat; the men there are mere clerks.

12075. With all the openings that come to the Secretariat for the higher administrative posts?—I do not know that the higher administrative posts necessarily go to the Secretariat.

12076. Is it not the practice, if not the rule, that the Secretariats attached to the various Governments are the steps to important administrative appointments?—It depends on what you mean by important administrative appointments. The Government of India is generally composed of Secretariat men. I have been only six months in the Secretariat and I am now a Commissioner.

12077. I do not want to labour that point; the question is independent of that. If you find men defective in this particular method of handling the Indian, of getting into intimate touch with him, do you think that ought to be a bar to the man's progress in the Service?—It is in actual practice.

12078. That sort of people have never been degraded, have they?—I do not know. If a man is known to get on very badly with Indians, it is a bad mark against him, and counts against his promotion or selection for responsible posts.

12079. With reference to the Provincial Civil Service, you say that the appointments by nomination have resulted in putting into the Service men who are intellectually of a lower calibre than those formerly selected by open competition?—That is my general impression.

12080. Do you also mean that they are not quite such good officers?—Not necessarily, because I do not regard intellectual calibre as being a very essential quality.

12081. I wanted to know if you have used this phrase deliberately really to show that they are intellectually inferior or that they are inferior as administrative officers?—I would not say they are inferior as administrative officers; I think they are intellectually somewhat inferior.

12082. Were you as satisfied with the Provincial Civil Service when nominated as you were with the Provincial Civil Service selected by competition?—As things now are, I would not go back to a purely open competition for political reasons.

12083. But with the nomination that exists, you still say in answer to question (8) that the communities are not properly represented?—It is getting gradually right by means of the nomination system.

12084. The adjustment that is taking place is because of the nomination?—Yes.

12085. You do not take the view that Muhammadans and others will have a great educational incentive if they find it difficult to get into the Service except through the door of open competition?—If you made it an open competition, the Muhammadans would be almost entirely excluded.

12086. But would it not be an incentive to them to qualify upon educational grounds?—It would be a thing a long way off. The movement in Muhammadan education is very strong at present.

12087. Take the movement that is going on now for the improvement of Muhammadan education, Aligarh, and everything that has followed from it, including the projected Dacca University, if the Government had gone upon the principle of appointing a Muhammadan for a Hindu in every public post during the last 20 or 30 years, do you think from your experience and knowledge that the incentive would have been as great as it is now for the Muhammadans to pursue higher education?—If they found that Government put them in in spite of their low education the incentive would not naturally be so great.

12088. If you go to Aligarh or Dacca, is it not a common thing to be told that the chief reason why this is being done is that the community may be properly represented in all public offices?—Yes.

12089. (*Mr. Madge.*) In framing your answer to question (2), have you had these two facts in mind at all: first, that when Civilians break themselves adrift from English society and all its opportunities and advantages, they acquire some kind of claim to be considered as regards their children, a claim which ought to be recognized when it does not militate against the public interest?—That is so.

12090. And, secondly, that administrative tact and Government capacity sometimes may be inherited?—Yes; those were two of my main reasons.

12091. That is to say, that, although a great deal was said against Haileybury, there was something to be said in favour of it?—Yes.

12092. With regard to question (4), are not you afraid of starting some dangerous sentiment when you say, "There is a good deal to be said for taking reprisals against Colonies which exclude British Indians"? So far as pure race prejudice or anything like that is concerned, I quite agree with you, but is not some of the feeling among the more thoughtful and better class in our Colonies, something of the instinct of self-preservation against lower standards of living or economic conditions that would destroy trade and change the whole character of a Colony that ought to be British if it is to be of any use to the Empire?—I understand that is their sentiment, but the fact remains that the Indians are badly treated.

12093. I quite sympathize with you so far as any efforts to improve their treatment goes, but there is a risk of raising a dangerous kind of sentiment when you wish to encourage either by legislation or otherwise the taking of reprisals?—I say there is something to be said for it, but I do not recommend it. I think we should take the Imperial standpoint whatever they do.

12094. With regard to public schools, would not some kind of standardization of education or some kind of co-ordination of the syllabus or the results of examinations be necessary before you take the recommendation of heads of public schools all over the country?—I do not see how it can be done, but if any system of that sort be established, the Secretary of State would presumably satisfy himself that the schools on the approved list were giving a thorough curriculum.

12095. Some kind of standardization or co-ordination would be needed?—Not necessarily standardization. There might be a totally different curriculum in the two schools, but a good one in each.

12096. So long as they tested character as well as literary quality it would do?—Yes.

12097. You think it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service. Would you have a minimum grade fixed or leave the choice with the responsible Government from time to time?—I would have it practically as it is at present; I think it is the only safe guarantee.

12098. But supposing a crisis arose when anything was specially needed you would have to change a statute which would involve a great loss of time, whereas if you trusted the responsible Government they could act immediately?—You mean that sudden orders, like those given at the Delhi Durbar, could be issued by the executive authority? I would not trust to that. I would rather have a statute.

12099. (*Mr. Abdur Rahim.*) Apart from any abstract theory, can you tell me from your experience whether it is a fact that the holding out of inducement of a Government appointment has tended to encourage education in Bengal?—The attractiveness of Government service makes boys read hard in the schools, certainly. Most boys in schools hope to go into Government service and they study hard in consequence.

12100. Do you know the history of education in Bengal, that it was started in order to find competent men to act as clerks or in subordinate places?—That is what I understand to have been one of the chief reasons.

12101. And that was why English education was encouraged in Bengal?—I do not know that it was entirely so. My impression is that a good deal of early education was done by the missionaries for religious purposes.

12102. For instance, do you remember that, in order to secure medical students, scholarships were awarded at first and inducements held out that they would get certain appointments if successful in passing examinations?—I have not looked up the papers recently on that subject.

12103. With regard to the competitive examination which was introduced here for the Provincial Civil Service, did any Muhammadan get in?—Very few of them I think by open competition. There were one or two who got in according to my recollection.

12104. Out of how many?—I should doubt if more than one or two per cent. got in.

12105. If open competition were introduced into the Provincial Civil Service, the result would be that the Muhammadans would be almost totally excluded?—This would be so now, but not so much as it used to be.

12106. I said almost?—Yes, almost.

12107. The Muhammadan population is very large in Bengal, is it not?—Yes.

12108. You have considerable experience, I suppose, of Muhammadan officers who have been selected by nomination?—Yes.

12109. What is your opinion as regards their work?—It is as good as that of Hindus, quite as good.

12110. You have not noticed any difference in the work, that it is inferior to that of the Hindus?—No; on the whole I say it is rather better.

12111. You would rather say their work is better?—I think so. At first they do not show up so well, but after a few years Muhammadans improve greatly, and their administrative capacity is often very great.

12112. Am I right in supposing that among Muhammadan members of the Provincial Civil Service there have been often some very distinguished men, men who were originally selected by nomination, and not by competition?—Yes.

12113. And I suppose you know that in the early days of the British settlement here, when the country was being settled, much settlement work was done purely by Muhammadans?—I do not remember particular cases.

12114. Take the Deputy Collectors in those days?—By settlement do you mean Land Revenue Settlement?

12115. Take the Land Revenue Settlement to start with. In the whole organization of Government there were a good many Muhammadans employed?—Yes, that is my general impression. Naturally, as we took over the administration from a Muhammadan Government, there were a good many Muhammadan officers.

12116. It was they who helped in organizing the Government in those days?—A great deal, but there were also many Hindus.

12117. But there was a larger number of Muhammadans?—My impression is to that effect, but I cannot say for certain.

12118. With regard to the Subordinate Service, what is the lowest post in that Service?—Sub-Deputy Magistrate at Rs. 100.

12119. Have you Tahsildars here?—We have Tahsildars in Government Estates, but they do not constitute a regular service.

12120. You have Kanungos?—Yes.

12121. Are they on the same footing as Sub-Deputy Magistrates?—They are lower. They all look forward to being promoted to that.

12122. Is that the whole subordinate service?—Practically; then you come to clerks and menials.

12123. The clerks are in the ministerial service, are they not?—And I believe technically the Kanungos are also in the ministerial service.

12124. What you suggest, then, is that Sub-Deputy Magistrates should be put in the same service as Deputy Collectors?—Yes, and the next lower grade would be Kanungos.

12125. You would not go lower down?—No, I would amalgamate only those two Services.

12126. (*Chairman.*) You confine your amalgamation to those two Services?—To the Provincial and Subordinate Executive; I would not amalgamate the Kanungos; I would keep them separate.

12127. And the inferior branches of the Service would remain the same as in the Subordinate service?—The Kanungos would remain as they are. They have just grievances, and I should like to see their posts made quasi-permanent, and therefore pensionable, but I would keep them as Kanungos and not include them in the Provincial Civil Service.

12128. (*Sir Valentine Chirol*). In reply to question (125), you propose there should be optional retirement for an officer at a much earlier age than now, on the ground that it is not in the interests of the community that officers should be retained if their hearts are not in their work?—That is my opinion.

12129. On the other hand, you object to the idea of compulsory retirement. Surely if it is in the interests of the community that officers should be encouraged to go whose hearts are not in their work, it is also in the interests of the community that those who may not be so much inclined to go, but who also have not their hearts in their work, should have gentle pressure put upon them to make them go?—These officers very often have their hearts in their work; they are doing their best, but they are rather stupid. I would not turn them out.

12130. From the point of view that at the present time undoubtedly European officials are subjected to very much closer criticism than they were formerly, is it not very important for the credit of the Service that men should be encouraged and made to retire when their inefficiency amounts in some cases to little short of a public scandal?—I would not turn a man out except by a Commission, and that can be done at present. I think if a man takes bribes or is habitually drunk, he should be turned out, but if he is an honest but rather stupid man, and plodding on, I would leave him alone.

12131. You would rather jeopardise the credit of the Service than risk any slight injustice to individuals?—I do not think the credit of the Service would be jeopardised by keeping on these people. I would give them some unimportant posts and no great promotion.

12132. But should there be any unimportant posts in the Indian Civil Service?—I mean comparatively.

12133. (*Sir Murray Hammick.*) In question (28), you said that the Statutory Civilian system was not a success in Bengal, and you do not advocate its revival. Then in answer to question (37) you say, "I find that the officers of the Provincial Civil Service dislike the system because no one knows, until the time comes for selection as a District Officer, whether he is holding a listed appointment or an ordinary appointment. No one is given a special designation or treated in a special manner. No one is therefore put on his mettle to show specially good work in the earlier days of his service. I have had no discussion on this subject with members of the general public. I am not aware of the advantages, if any, which the arrangement possesses." Apparently you would like to see the lower inferior posts of the listed service made quite distinct from the Provincial Civil Service?—I am not sure on that point, but I discussed it with several members of the Provincial Service and the majority would like to see it that way. I admit that some are against it. I have not quite made up my own mind on the point.

12134. If you take out the inferior appointments which are now merged in the Provincial Service and made them separate, would not that amount to constituting a Statutory service again?—That is what I fear; it is because of that objection that I have not made up my mind. There is a great deal to be said for things as they are.

12135. When you speak of your objections to the Statutory service, your objection is not to the Statutory service as a service but to the Statutory service as it existed 20 or 25 years ago, because the Statutory service then was manned by a system of appointments which did not produce the best men available?—That is so.

12136. The objection to the Statutory service was not to the Service as a Service, but to the inferior quality of the men who got into that service?—Of course there were exceptions.

12137. But, as a rule, owing to the appointments being made by favour or by nomination, a considerable number of inferior men got into that service and proved failures, and so gave that service a bad name?—That is so.

12138. Do you think it would be probable, supposing you had a kind of service reviving the old Statutory service, care being taken to put the best men you could find into it, that that service would still bear the mark of being a very inferior service as compared with the Indian Civil Service?—It would always be so to a certain extent, and I think it was intended to be so.

12139. You spoke of the subordinate service being amalgamated with the Provincial Service, but I understand in Bengal you have another service below the subordinate service, clerks, for instance, at Rs. 15 a month?—They are in the ministerial service.

12140. You have a ministerial service and above it a subordinate service?—Yes.

12141. The subordinate service consists mainly of appointments rising from Rs. 100—250?—Yes, up to Rs. 250.

12142. There are not very many people in that service?—There are nearly 200.

12143. Do you put clerks into that service?—Occasionally clerks are promoted to it, but it is not the usual promotion.

12144. For instance, a head clerk of a Collector's office?—He is not in that service; he is in the ministerial service.

12145. Would a clerk who draws Rs. 150 a month be in the subordinate service?—No; he would be classed as ministerial.

12146. These people you call Kanungos are what we call in Madras Revenue-inspectors, I suppose?—I should think they are something of that sort; they do a great deal of work in settlement.

12147. With regard to what Mr. Macdonald asked you about the Secretariat appointment, is it the case in Bengal that a great many officers go quite to the top of the Service who have never had any Secretariat experience at all, Commissioners, etc.?—Certainly.

12148. The chances are that you may get into the Executive Council men who have never been in the Secretariat?—Certainly.

12149. So that the Secretariat man does not bear the mark of being a very superior officer; he is selected specially as being likely to do Secretariat work well?—That is so.

12150. There may be just as good officers who are never taken into the Secretariat. It is no mark of disapproval when a man has not been in it?—No. I was not in it until a few months ago, and I never felt any stigma in consequence. I had no desire to go there.

12151. Do you think if you had the simultaneous examination, from what you know of Muhammadan education in Bengal, that in the next 10 or 15 years the progress of Muhammadan education would enable them to overcome their present difficulties and carry off a fair proportion of appointments in the competitive examination?—In 10 or 15 years they might, but at present they would be absolutely swamped.

12152. I think you admitted to the President that it would be difficult to attach officers to different districts for a period of five years?—There would be practical difficulties.

12153. Do not you think it would lead to more transfers even than you get now? If a man was attached to a district for five years and took leave during that period it would necessitate his going back to that district when he returned?—If he took leave during that period you would have to make a local arrangement.

12154. If he took furlough during his five years he would have to go back to his own district and turn out some one whom you had put in to act for him whilst he was away?—If you allowed him to take furlough during his five years.

12155. He would have to do that very often probably?—As far as possible you would post a man to a district from one long furlough to the next long furlough.

12156. In Madras, we have had a system of territorial appointments instead of graded service, but we had to abolish it because it led to a tremendous number of transfers. I am afraid your proposal would increase the number of transfers rather than reduce them?—The matter was much discussed before the Decentralization Commission, but I forget their final decision.

12157. (*Mr. Mukharji.*) With reference to your answer to question (39), you say that the Provincial Service men appointed to the listed posts have not always succeeded because of the fact that they were appointed when far advanced in years?—Yes.

12158. Do not you think also that some faulty selections may have been made?—It is possible. I cannot remember any man who had any fault except that of being past his work.

12159. In answer to question (6), dealing with the Provincial Service, after what you have said I think you would strike out the Settlement Kanungos from your scheme?—No; the Kanungos should be eligible for promotion to the post, as they are at present.

12160. Do not you think that would be improving the prospects of these men at the expense of the higher Service?—There will be fewer vacancies for direct appointment.

12161. You would get an inferior set of men? No; much the best Deputy Collectors we have now are those who began as Kanungos.

12162. (*Mr. Sen.*) With regard to question (18) dealing with the Provincial Civil Service, you say, "*P.S.*—I should perhaps refer here to the system under which Munsifs are deputed to act for two seasons as Assistant Settlement Officers. The system is working excellently and is of great advantage both to the Munsifs themselves and to the Settlement Department." At present they are there for 18 months?—Yes.

12163. Do not you think it would be a gain to the Munsifs themselves and to the Administration if they were deputed for a longer period?—In some cases we have asked for an officer's deputation to be extended; I should like to see longer deputations.

(The witness withdrew.)

Adjourned to to-morrow at 10-30 A.M.

At Calcutta.

Saturday, 25th January 1913.

TWELFTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
SIR VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.

ABDUR RAHIM, ESQ.
GOPAL KRISHNA GOKHALE, ESQ., C.I.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, ESQ., Chairman of the Calcutta Improvement Trust.

SARODA PRASAD SEN, ESQ., Additional Sessions Judge, Sylhet.
RAI BAHADUR PRIYA NATH MUKHERJI

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. ... ... } *Joint Secretaries.*
R. R. SCOTT, ESQ. ... ... }

SIR RAJENDRA NATH MOOKERJEE, K.C.I.E., Merchant and Contractor, (Firm of Martin & Co.).

Written answers relating to the Indian Civil Service.

12164. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes. It is not perhaps absolutely perfect in theory, but, taken as a whole, it gives more general satisfaction than may be expected from any other system that may be suggested in its place. There is no question that the members of the Indian Civil Service are, taken as a body, good administrators, and zealous and devoted servants of the Crown, and I cannot suggest any other system of recruitment which will give better results.

12165. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is obviously not equally suitable and convenient for the "Natives of India" as for other natural-born subjects of His Majesty residing and educated in England. Caste prejudice and the great cost of education in England often stand in the way of meritorious Indian students going to England to try for the Civil Service. The subjects of examination also give a far better chance to an English student than to an Indian of the same intellectual capacity, and perhaps with equal attainments in the field of general knowledge. The alterations I recommend will be found in my answer to question (16).

12166. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Practically, it makes no difference, as generally, in any case, the best English students try to get into the Home Civil Service in preference to the Indian Civil Service.

12167. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of holding unconditional simultaneous examinations in India and England. In my opinion, it is time that the percentage of Indians should be increased to one-fourth of the total number in the cadre of the Indian Civil Service. To make a beginning to recruit that percentage of Indians, I would suggest first to hold an examination as usual in England—say in the year 1915—and supposing the number of vacancies are 80 that year 20 should be reserved for Indians. Of this number, those Indians who pass the examination successfully in England should be taken first. A simultaneous examination should be held in India the next year, along with the examination in England, for the remaining vacancies not filled up by the previous examination in England. Those who succeed in the examination should be sent to England on probation for two years, and join some University and have other practical training, and only on their passing specified examinations and tests satisfactorily, should they be finally appointed in the service. In order to have a guarantee that these men make good use of their time in England, the certificates from the

Colleges should be much more stringent and detailed than in the case of the students recruited from England. It is absolutely necessary that men who are to occupy the positions of District Magistrates and District Judges should have a training which will enable them to maintain their position and dignity on a footing of equality with their brother European officers. In order to secure the requisite percentage of Indians in the Service, I would prefer to have them educated in England, than to recruit a large number by simultaneous examination in India. To give the Indians a better chance to take part in the administration of their own country, in every respect equal to their European colleagues, I recommend the following:—(*i*) The Government should increase the number of State scholarships to enable the most brilliant students (who might be too poor otherwise) to proceed to England for the competitive examination. If necessary, a certain number of scholarships should be ear-marked for students intending for the Indian Civil Service. (*ii*) Provision should be made for the students who fail to come out in the list of required number of vacancies, but are still considered to possess qualifications of a superior order for appointments in the Provincial Civil Service in the higher grade, and in Indian Police, etc. This will encourage meritorious students to proceed to England, and to be more ready to take the risk of failure in the Civil Service examination. (*iii*) Some modification in the curriculum which will somewhat equalize the chances of Indian students.

12168. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am strongly opposed to any such scheme. This will undoubtedly be against the best interests of the Indians themselves, and is also sure to lower the efficiency of the service; and it is of the utmost importance to keep the standard of efficiency of this service as high as possible. As I have said in my answer to the previous question, training in England is essentially necessary for men who will hold such high posts as District Magistrate and District Judge, etc., either from a social or from an administrative point of view.

12169. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—No, for reasons stated in my previous answers. No attempt should be made to reduce the standard of efficiency of the Indian Civil Service, and there should be no distinction in the mode of recruitment between Europeans and "Natives of India."

12170. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I am strongly opposed to any system for the part recruitment of the Indian Civil Service by "Natives of India" in India, except by simultaneous examination in India and England, as outlined by me in my previous answers. The privilege of being able to appear at the open competitive examination in England should not be taken away from the "Natives of India." This reactionary measure, if ever introduced, is bound to arouse a great deal of discontent.

12171. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I am against any system of selection in India for the Indian Civil Service. If, as previously indicated, a system of simultaneous examination is introduced, in my opinion there will be no necessity or justification for promoting members of the Provincial Civil Service in the future to the "Listed appointments ordinarily given to Civilians."

12172. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—In my opinion, a separate method of recruitment for the Judicial branch of the Indian Civil Service would be an improvement on the present system. The curriculum of examination should include more of Law, and the system of training should be of a more judicial character than at present; that is to say, they should begin service as Munsifs and should have at least one year's practical training in the High Courts under some arrangement to be made with the Judges. If, however, this suggestion is not feasible or acceptable, the candidates before entering service should be given their choice between the Executive and Judicial branches as far as practicable, and those who elect the latter should be required to be called to the Bar during their probationary period in England, and on entering service should begin in the Judicial Service.

12173. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limits from 22 to 24 appear to be suitable. It is suitable to Englishmen, because it allows them time to finish their University career and then go in for the examination. It is equally suitable for "Natives of India," as it would enable them to take their University degrees in India, and then proceed to England for a course of special training for the Civil Service examination.

12174. (14) What in your opinion is the most suitable age at which Junior Civilians recruited in England should commence their official duties in India?—Between 23 and 26 is a suitable age, at which Civilians should commence their duties in India.

12175. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—First part of the question is answered in question (13). There should not be any difference between the age-limits for "Natives of India" and other natural-born subjects of His Majesty.

12176. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I recommend the following additions to the syllabus of subjects:—(*i*) Indian History, both ancient and modern. (*ii*) Hindu and Muhammadan Law. I suggest the following alterations in marks:—500 marks each for both Modern and Indian History; 500 marks each for Hindu and Muhammadan Law. Latin, Greek, Sanskrit and Arabic should have equal marks.

12177. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I am not in favour of any differentiation of any kind between Indian and English and others, for the examination.

12178. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—I do not at present recommend any change in the existing system.

12179. (19) Do you consider that a mininum proportion of Europeans subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—I do not think the time has come when a minimum proportion can be fixed. If suitable and qualified "Natives of India" are available both from social and administrative points of view, 15 to 20 per cent. of them may be admitted into the posts of the Indian Civil Service cadre. In my opinion, the social side of the question should not be overlooked. Unless a "Native of India" can mix with his European colleagues socially on an equal footing, he will have to work under a great disadvantage, and should not be appointed merely for his other attainments. I further suggest that before a subordinate officer from Provincial or other services be promoted to an administrative post of the Indian Civil Service cadre, he should be compelled to take at least a year's furlough and spend his leave in England, under the supervision and direction of the Secretary of State for India before joining his post.

12180. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes, provided the conditions stated in my answer to the previous question are fulfilled.

12181. (21) Do you consider that the old system of appointment of "Statutory Civilans" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No. As far as I am aware, Statutory Civilians, with very few exceptions, did not prove satisfactory.

12182. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—No.

12183. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—No.

12184. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Specially deserving and meritorious officers from Provincial Civil Service may be promoted to the "listed posts" provided the conditions stated in my previous answers are fulfilled. The present method is not very satisfactory and not desirable.

12185. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—Yes, provided qualified "Natives of India" are appointed as stated above.

12186. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

12187. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes.

12188. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

12189. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. Question of study should be decided according to which branch of the service, Judicial or Civil, he takes up.

12190. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangemehts that you recommend?—No.

12191. (32) Do you consider that the probationer's course of instruction could best be spent in England or India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—For all natural-born subjects of His

Majesty one year should be spent in England and, after the candidate passes his special examination during his probationary period, he should be sent to India to spend another year of probation here. "Natives of India" should spend two years of probation in England.

12192. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No; I am not in favour of such a scheme.

12193. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am in favour of some arrangement for imparting more systematic training to a Junior Civilian (Executive branch) in the first two years of his services than he receives at present, under an experienced Collector who has shown marked sympathy towards "Natives of India." It is necessary that junior officers should learn to respect Indian religious feelings and sentiments, and they should be made to realize that their prospects and promotions not only depend on their abilities as administrators, but on cultivating good and friendly relations with the people among whom they will have to move. They should also give more attention to learn the language of the province.

12194. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—It is difficult to make a statement on this point with any certainty. But the general impression is that the Civilians of the old generation knew the language of the country better and were more in personal touch with the people. The average number of the members of the Indian Civil Service do not attain an adequate proficiency in Indian languages. The present system of examination is defective. The examination should be carried on on University rules, *i.e.*, by examiners who are "Natives of India" having proficiency in their own languages. And in giving promotions, proficiency in Indian languages should carry greater weight.

12195. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

12196. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

12197. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to further entrants?—Exchange compensation allowance should, in my opinion, be abolished, but as the cost of living in India has gone up the salaries of all officers should be somewhat increased, irrespective of nationality and domicile.

12198. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—In my opinion, there should be no difference, especially in consideration of the restriction suggested by me in obtaining these posts.

12199. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave and pension in the Indian Civil Service?—The following points are, in my opinion, worthy of consideration for the efficient administration of districts:—(i) Promotions to the posts of Collectors and Commissioners should be after careful selection—seniority *alone* should not entitle officers to these appointments. Officers who have shown decided cordial feeling towards, and sympathy with, "Natives of India" should have preference. (ii) Comparatively junior officers should not be made either Collectors or Judges unless they possess exceptional tact to deal with Indians, and exceptional merit justified such appointment. (iii) District officers should be kept in a district for at least three years. (iv) Indian District Magistrates or Judges should not, as is now generally the case, be posted to an unimportant district and grouped together. There has been a tendency to place only Indian officials in districts of which the District Magistrate is an Indian. This is an invidious and unjustifiable policy. It creates discontent and gives an impression that the Government do not wish to see Indians exercise authority over European officers as far as this can be managed. The growth of such a feeling is against the best interest of the Government and the people. My object in giving special stress about not to appoint or promote any "Native of India" to the listed posts of the Civil Service cadre, unless he proves socially fit to mix and move with his European officials on equal footing, is to avoid such grouping of Indian officials together.

Written answers relating to the Provincial Civil Service.

12200. (51) Please refer to Government of India Resolution No. 1056-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—In my opinion half the appointments to the Provincial Civil Service should be thrown open to public competition, and half by nomination according to the present rules.

12201. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—No, provided the candidate satisfactorily passes an examination showing that he has thorough knowledge of the vernacular, and is able to write it and also read written characters with facility.

12202. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes, as far as possible, keeping the standard of efficiency in view.

12203. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—Yes.

12204. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The number of higher grade appointments should be increased. According to the present system, it takes a Munsif nearly 24 or 25 years to rise to the post of a Subordinate Judge, and 30 years before he gets to the top of his service. Similarly a Deputy Magistrate does not ordinarily get promotion to the higher grades until he is over 50.

12205. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Yes.

12206. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure, locally, the desired qualifications in the officers appointed? If not, what principle do you recommend?—In my opinion salaries of officers in the Provincial Civil Service should not be adjusted according to the market value, as is ordinarily done in commercial circles or ordinary departmental clerks. These posts in Provincial Civil Services carry with them certain prestige and dignity, and to maintain them a larger income is necessary than is ordinarily the case with commercial or departmental clerks. Having regard to the fact that the cost of living has gone up tremendously within the last few years, and mode of living undergone a change for the better, it is difficult for, say, a newly-appointed Deputy Magistrate receiving a pay of Rs. 200 per month to make both ends meet. For these considerations, and to keep these young men from temptation, the scale of pay should be increased. This scale of pay should be fixed in each province according to the cost of living in that province.

12207. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—First part, no. Second part, yes.

12208. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—Yes.

12209. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes.

SIR RAJENDRA NATH MOOKERJEE, called and examined.

12210. (*Chairman.*) Will you be good enough to tell us what position you occupy?—I am senior partner in the firm of Messrs. Martin & Company.

12211. What public positions do you fill in Calcutta and elsewhere?—Not many. I am only Trustee of the Calcutta Improvement Trust, Fellow of the Calcutta University, a Member of the Governing Body of the Civil Engineering College at Sibpore, and Trustee of the Indian Museum, Calcutta.

12212. In answer to question (6), you say you are not in favour of holding unconditional simultaneous examinations in India and in England, and I infer from subsequent remarks in that answer, that you hold this opinion on the ground that a substantial proportion of Europeans should be retained in the administration?—Yes.

12213. And you suggest a scheme under which the number of Indians admitted to the service would be limited to one-fourth of the whole?—Yes.

12214. You would like, if you could, to avoid simultaneous examinations, if you could realize your object at the examination in England?—Yes.

12215. You set great store by all Indians having a thorough English training?—Yes.

12216. I will take you through your remarks in answer to question (6). First, you would hold an examination, which you place hypothetically in 1915, in England?—Yes.

12217. Assuming there were 80 vacancies, you would allow 20 of those vacancies to be reserved for Indians?—Yes.

12218. Am I to understand that only those Indians who came out successfully in that 80, would be regarded as the successful candidates in that examination?—Yes. There should be one examination, and those who came out successfully in the list, if they were 20, should get it. I did not mean to suggest that 25 per cent. should be limited to Indians, whether they competed successfully or not. I would give an opportunity to Indians who could not go to England for other reasons to appear at the examination, and, in my opinion, there would not be more than 25 per cent. passing for the next few years to come.

12219. So that under your scheme those who were unsuccessful in 1915 would enter for a separate examination in India—the competition to be exclusively amongst Indians?—Not a separate examination, but the same examination. The examination held in England the next year, should be held in India also, and the result would appear in the same list—everything the same, only you give a chance to Indians who cannot now go to England, to appear at the same examination in India.

12220. You suggest as an alternative, or as supplementary to that scheme, Government scholarships. Which of the two would you prefer?—I should prefer that, instead of having a simultaneous examination here, the Government should increase the number of scholarships, and send meritorious boys to England to pass their examination there.

12221. How would you arrange your scholarships; by provinces?—I have not thought out the details; but there should be an examination held in India, at some central place, where all students may appear; and if they passed that examination they may be sent in order of merit to England on their scholarships. There should be one central place where the examination in India should be held, and not in special provinces.

12222. I presume that the scholarships which you would grant would enable the candidates to go to England prior to examination, in order to get a training there, for two or three years?—Yes.

12223. You also suggest, in reply to question (19), that if suitable and qualified "Natives of India" are available, both from social and administrative points of view, 15 to 20 per cent. of them may be admitted into the posts of the Indian Civil Service cadre. Is not this rather a modification of your former proposal?—I meant that 15 to 20 per cent. of the one-fourth might be appointed here.

12224. In reply to question (10), you say "I am against any system of selection in India for the Indian Civil Service. If, as previously indicated, a system of simultaneous examination is introduced, in my opinion, there will be no necessity or justification for promoting members of the Provincial Civil Service in the future to the 'Listed appointments ordinarily given to Civilians.'" But then, in reply to question (24), you say, "Specially deserving and meritorious officers from the Provincial Civil Service may be promoted to the listed posts provided the conditions stated in my previous answers are fulfilled." You would still promote the Provincial Service officers to listed posts?—I have said that specially meritorious men may be promoted to those posts, subject to that condition, as I have stated before.

12225. So that you do not advocate the entire abolition of the listed posts system?—Not entirely. But they should be sent at least for one year to England before they take up such responsible posts out here

12226. Would you include those who are appointed to listed posts in the one-quarter, or would they be in addition to the one-quarter?—No, within the one-quarter.

12227. Then you suggest that before appointment you would make the candidates go to England for a year's probation?—Yes.

12228. Would you suggest that they should be paid a salary during the time they were in England on probation?—I would suggest that they should be paid the same salary as they were receiving here.

12229. You also suggest that those Indian candidates who fail at the Indian Civil Service examination should be appointed to the highest grades of the Provincial Civil Service?—To the higher grades of the Provincial Civil Service.

12230. Will not that cause a certain amount of discontent amongst members of the Provincial Civil Service, especially in the lower grades?—At the same time, it would relieve a certain amount of discontent which exists amongst some of those boys who now go to England at an enormous expense, and who, after they have failed, to get into the Civil Service, come out here and get nothing to do.

12231. You see great advantage in giving them an opening which has hitherto been denied to them?—Yes; and I consider that they will be better men here in the Provincial Service than men who are recruited from here only, because their education would be much higher than those who have taken the Provincial Civil Service here.

12232. You recommend two years' probation, the second year of which is to be spent by European recruits in India. Would that be in addition to the two years' training, or part of it?—For Europeans I suggest that one year should be spent in England, and one year in India; and for Indians I suggest that two years must be spent in England.

12233. We have had a great deal of evidence from experienced witnesses who have pointed out that one year's probation has not been sufficient?—I do not know that for Englishmen the one year in India would not be very desirable. I think it would be desirable for them to come to India.

12234. You think that the extra year in India would be of great service to Europeans?—Yes, I think so.

12235. In order that they may learn the customs and manners of the country before they enter upon their work out here?—Yes.

12236. I understand that you are the head of a large and prominent firm of engineers and contractors?—Yes.

12237. And I suppose that, in that capacity, you are constantly employing a very large number of hands on many of your works?—Yes.

12238. Does your staff consist exclusively of Indians?—No, it consists of Europeans and Indians.

12239. How many Europeans have you now on your staff?—I have got now 50 on my staff—officer grades—with pay from Rs. 400 to Rs. 2,000.

12240. How many permanent Indians have you now on your staff?—I have got 500 Indians on my staff.

12241. Do you ever employ Indians as engineers or chief supervisors of works?—Yes, sometimes.

12242. Do you put them at the head of the whole business and leave them in entire control?—No. I do not put them at the head of the business or in entire control.

12243. Am I to infer from that that there is always a European over them?—In the case of a very big concern there is always a European at the head of it.

12244. Do you ever employ an Indian chief engineer with European subordinates under him?—Oh, yes; we have got an Indian over European subordinates.

12245. And do you find that the Europeans and Indians, when they are brought into such a relationship, work together in harmony?—Not in every case.

12246. Does this difficulty lead you to avoid the practice as much as possible?—For commercial purposes I try to avoid that, unless it is an exceptional case.

12247. I asked the question especially because in your replies you have laid very great stress upon young European officials being placed in districts where their superior is an Indian. Your own business experience would, however, appear to point to an opposite conclusion?—I have not got that class of Indians in my own case. I am head of the firm, and I have 50 Europeans of the officer grade, besides about two or three hundred Indians. I have never found any difficulty in controlling them. If I may be allowed to say so, not only do I not find any difficulty with regard to the Europeans, but I am held in the highest regard by them all.

12248. What salaries do you pay to Indians who are in charge of large works?—Rupees 200 to Rs. 400. That is all the Indians I have now. I have one at Rs. 500. They are all trained in India. Their mode of living is not like that of Europeans. Those are the difficulties. That is why I lay so much stress upon the social side of the question. I have got an Indian in my office who was educated at Cambridge. He is at the head of a department now, and under him there are several Europeans, and there is no complaint in any way.

12249. You infer from that that if you could give Indians a good English training they would be able satisfactorily to control Europeans?—Yes.

12250. You say you have got one instance now?—I have got two. My son is a case in point. He is in the firm. He was educated at Cambridge, and he is at the head of many Europeans now. I have got another man who is also in a similar position so far as having Europeans under him is concerned.

12251. Could you tell me what training your Indian engineers have had before joining your firm?—They have been either at the Engineering College at Calcutta, or at the Poona Engineering College, or at the Roorki Engineering College.

12252. And they have taken degrees in one or other of these colleges?—Yes.

12253. Is your firm managed by a board?—No; it is not a Limited Company. We are four partners in the firm, and it is managed by ourselves.

12254. Are you all Indians?—No. There are three Europeans, and one Indian. I am the only Indian.

12255. (*Sir Murray Hammick.*) With regard to your answer to question (6) with reference to these scholarships, what is your idea about the age at which you would give these scholarships?—They must have two years before they appear at the Civil Service examination.

12256. If the Civil Service examination limit is 23 years now, the men should be sent when they are 21, and you would give the scholarships at from 20 to 21?—Yes, so that they have two years' training in England at one of the Universities before they appear at the Civil Service examination.

12257. The young men you would send with these scholarships would be men who have already been through the University in India?—Yes.

12258. And you would send them home for a couple of years?—I would send them home for a couple of years.

12259. I suppose there would be a large number of these scholarships according to your proposal?—Yes, a good number—about 40 or 50.

12260. With regard to the Europeans you have in your service, at what age would most of them come out to India?—They would come out to India at 25, 27 or 28.

12261. I suppose all of them are experts in special subjects, that is to say, they are all engineers?—No. Our firm is not only an engineering firm, but it is a commercial firm, too.

12262. Some of these men are not engineers—they are commercial men—is that it?—Some are accountants and some are ordinary business men. We have got a branch office in London, and some of the men go there first, and if they show ability there, they are sent out to India under an agreement.

12263. How often do you yourself go to England, as a rule?—For the last few years I have been going to England every other year.

12264. In answer to question (30) you say, "The question of study should be decided according to which branch of the service, Judicial or Civil, he takes up". Apparently you think that the Civilians who come out for the Judicial service should at once take up work as Munsifs?—Yes, something like that.

12265. Do you not think that the three, or four, or five years' training which the Judge gets now as Assistant Collector, or Assistant Commissioner, or whatever he is called in Bengal, up-country, is of considerable use to him?—Yes. But there is this defect, that if one finds that he has a prospect in an Executive branch he will never go to the Judicial line. The result is, so far as my observation goes, that men who are sent to the Judicial line are not the best men for the service.

12266. That is what you have noticed in Bengal?—Yes.

12267. You would sooner see those Civilians who come out and go into the Judicial service at once go in as Munsifs?—I should like to see a separate examination for the Judicial men. In that respect I may add, if I may be permitted, that you will find a lot of Indians would prefer to go to that line, as they could pass into the law better, and that would relieve the Government from putting too many Indians into the Executive service.

12268. You think the Indians would naturally tend to go towards the Judicial side rather than the Executive?—Yes.

12269. (*Sir Valentine Chirol.*)—In connection with your work, you say that you bring out a number of Europeans to work in your firm. Are those Europeans that you bring out in any way prepared for Indian life before coming out?—No.

12270. When they come out, do you send them straight away on some job up-country?—No, we keep them in the head office here first for a few years.

12271. Do you take any trouble in order to adapt them to the new conditions and to make them familar with their new surroundings?—Being in our head office, and there being so many Indians, and I also being at the head of the department, they have to adapt themselves to the way of treating Indians properly; otherwise they know their prospects will be limited.

12272. Have you experienced any difficulty in the matter?—Sometimes I have brought men out—I can mention two or three cases—who have been so bad that I have had to send them back again.

12273. I should like to hear your views a little more fully than you gave them to the Chairman with regard to what seems to be a very important aspect of your proposal. If the system of simultaneous examination which you propose is adopted, I understand you to say that you are willing to see the system of promotion of Provincial Service men into what are called the listed posts, in a very great measure abandoned. Would you make it quite an exception?—Yes.

12274. On the other hand, you propose to bring into the Provincial Service a certain proportion of candidates who have gone up for the Civil Service and have failed. Now, have you fully considered the effect of those changes upon the Provincial Service?—I do not think there will be much.

12275. After all, entirely apart from the question of proportion of Europeans to Indians in the Civil Service, do not the changes which you propose tend to produce a deeper line of cleavage than ever between the Provincial Service and the Civil Service?—I do not understand your question.

12276. Putting aside the question of the proportion of Europeans and of Indians in the Civil Service, you have, and will have, to provide a considerable Provincial Service for the future just as you have now; and, as I understand you, the effect of your changes must surely be to produce a deeper and more insurmountable line of division between the Civil Service and the Provincial Service than now exists?—I do not see that. If my system is adopted there may be four or five, at the utmost, a year who will come out well, but who do not get into the Service because they are a few marks below the necessary number. My assertion is that those efficient four or five should be given some sort of service here in the higher grades of the Provincial Service. I do not think that will materially alter the present condition of the Provincial Service. In fact, these men, having had a better education, will be able to hold the posts better; and they may be promoted to those listed posts afterwards.

12277. You propose to reserve very few listed posts?—I say, that if you give 25 per cent. to the Indian Civil Service, then the listed posts will naturally disappear.

12278. Surely it is admitted that the existence of those listed posts, and the possibility of being promoted to them, constitutes at the present time a material incentive to the Provincial Civil Service; in fact, the grievance of the Provincial Civil Service is that there are not enough of those listed posts open. Is not that so?—Yes. They should be increased. But the efficiency of the service would surely be increased if those men who failed at the Civil Service were appointed to the provincial higher grade service.

12279. You want to preserve a fairly high standard amongst the Provincial Service, which will still have very important duties to discharge in this country?—Yes.

12280. And at the same time you propose to withdraw from them, by abandoning, with a few rare exceptions, the listed posts, the chief prizes now offered to the Provincial Service; and besides that, you propose to bring in from the top, men who failed for the Indian Civil Service. Do you think it possible, under those conditions, that the standard of the Provincial Service will not be depressed?—Their service should be improved by increasing their pay. That is all I can say.

12281. (*Mr. Madge.*) Have you ever considered the problem of the supplementary test of character that would make up for whatever may be wanting in the pure literary competitive examination, whether as regards Indians or Englishmen?—That will open the door to jobbery. I do not advocate that by nomination, or anything.

12282. I do not suggest nomination. I asked you whether you had thought of any test of character of any other kind?—No. I have not thought of it.

12283. From what you have said about retaining three-fourths of the appointments in British hands, and of sending Indians who pass in this country to England, I should gather that you would like to preserve the English tone of administration?—Yes.

12284. Do you think that Indians generally choose the Judicial line?—No; they do not. There is not much prospect in that.

12285. When you said that Civilians, of what you consider an inferior stamp, choose the Judicial line, you meant all Civilians, British as well as Indians?—Yes.

12286. In answer to question (10) you have said that in your opinion "there will be no necessity or justification for promoting members of the Provincial Civil Service in the future to the listed appointments ordinarily given to Civilians". One of the things necessary in your office is character; and that does not depend, does it, upon either education, or even going to England; there have been Indians of the highest possible character? Do you not think that in the Provincial Service these may be developed from all races—Indian, Anglo-Indian, and English—that kind of character which would awake the confidence both of the Government and of the people, and entitle these men to rise as high as they could in the Service?—I have said that in special cases they may be promoted; meritorious cases; but I laid down a condition that they should be sent to England for one year.

12287. You think that unless they went to England, no matter what their character was in this country, it would not be the right thing just to promote them?—There may be exceptions in everything. As a rule, however, unless they move socially in the same atmosphere with Europeans they will not carry the same amount of respect and prestige.

12288. Would they not possess all the confidence of their own countrymen, and of the Government which employs them?—Our countrymen follow the example of the Government and of Europeans. When they see how Europeans regard those who have been to England,—moving with them socially,—the people follow them.

12289. Would that not be a confession of weakness of character?—Amongst the populace, yes. Nine-tenths are uneducated people, and their character is simply to see what Europeans do.

12290. You have referred to your firm as a commercial firm. In that respect you have a large stake in this country?—Yes, in some sense.

12291. And in that respect you are much the same as a number of European firms?—Practically my firm is a European firm, with the exception of myself, who am an Indian.

12292. I mean that undoubtedly. Do you think now, if any changes, say, in the manning of the Civil Service which led to any change in the administration of the Government, were made, that that would affect that public confidence in the Government which encourages capitalists?—Probably, I take it, the European public and the Indian public. If you increase the number of Indian Civilians, naturally the European public would feel affected so far as they were capitalists. That is why I made a limit; that at present there should not be more than 25 per cent. of Indians in the Civil Service.

12293. That means that the British tone of the Government ought to be retained as far as possible?—Certainly. If the change is ever introduced it should be gradually introduced, and not by a jump. If it were introduced suddenly it would cause great uneasiness among the European community.

12294. You say "gradually." Would you make that word include any number of years, or would you rather not fix a period?—When the 25 per cent. is arrived at, and Europeans find that the Indians are all right, and that they are doing good work, then the Government will be prepared to increase the number to one-third.

12295. You would wait and see?—Yes.

12296. Have you any large number of either domiciled Europeans or Anglo-Indians in your service?—Not many. I have some, but not in the higher grades.

12297. Are any of them engineers?—Yes; but, as I said, not engineers in charge of a work.

12298. These men have been educated in Calcutta, Poona, Sibpore and Roorki?—Yes.

12299. Do you think that their comparative inferiority to men brought up at home is owing to defects in the training at these institutions, or owing to defect of character?—Owing to defect of the training which is to be had in India.

12300. Is it your frank opinion that the training in all these institutions ought to be raised?—Yes.

12301. Do you not think that they ought to be raised to a perfect equality with the English training institutions?—I have been saying that for some years past.

12302. Do you say that with a kind of hope that all men, Indians, Anglo-Indians, and others, trained in this country, may stand on an equal footing with scientific men brought out from home?—Yes.

12303. (*Mr. Macdonald.*) You say you employ both Europeans and Indians in your firm?—Yes.

12304. Is any class of appointment reserved exclusively for Europeans?—No. We get hold of the best men we can get.

12305. You do not make a practice, do you, of taking in Europeans to fill up certain positions?—No.

12306. Do you employ Indian students from the University at all, say, in your scientific work?—Yes, Indians from scientific and engineering colleges, not from Universities.

12307. You do not employ University men?—No.

12308. You cannot tell me whether the desire to enter Government Service limits the supply of students who would go in for commerce otherwise?—Certainly: the hankering after Government service is very great.

12309. They hanker after Government Service? -Yes.

12310. Would you say that they are more anxious to get into Government Service than to join the Bar?—Government Service comes first, then the Bar and, lastly, commerce.

12311. And commerce, as I understand, is a very bad third?—Yes.

12312. Very far down?—Yes.

12313. You say that you had some difficulty with a mixed staff?—Yes.

12314. Can you tell us what sort of difficulties you have had?—Once I had a chemist, an Indian, who had passed from an English University. I sent him to our iron works at Kulti. All the other men there, 50 in number, were Europeans. But this Indian, notwithstanding his ability as a chemist, could not live there on account of the bad feeling created between the Indians and Europeans; and ultimately he had to resign.

12315. That was the sort of thing you had in mind when you answered the Chairman about the difficulties?—Yes.

12316. With reference to your ideas about simultaneous examination and your own special scheme, I want to try and get my mind clear as to what your intention is by your scheme. You want the Europeans here to feel quite confident in the character of the Government?—Yes.

12317. And in order to do that, you tell us that there must be a certain European nucleus?—Yes.

12318. But you also want to improve the efficiency of the Indian officer?—Yes.

12319. Is it your opinion that so long as examinations are confined to England you do not get the same quality of Indian candidate which you would get if the field were made wider by examinations held in India?—I do not know about quality. We do not get sufficient numbers, I said.

12320. Do you think that good men are kept out of the service because they have to go to England to pass into it?—Yes, many.

12321. But you would not say, as a witness yesterday said, that there are better men at home because they are poor and cannot go to England, and who would like to get into the service, but who cannot get in on account of the expense?—There are equally good men who cannot go to England on account of the expense.

12322. So that your idea is that you would widen the field from which the Indian competitors are to be drawn?—Exactly.

12323. Am I right or not in assuming that you did not dissociate from your opinions their political value?—No.

12324. In fixing up a scheme for recruitment of public servants in India, you have got to remember—this is your view, is it not—the political effects?—Certainly.

12325. If you have a large number of men who feel that they are entitled to have a chance in an important examination, and they have not that chance, that is one of the causes of political and social unrest, is it not?—Yes.

12326. Yesterday we had evidence which went upon this line, that because there is an unusual amount of unrest, or because there has been an unusual amount of unrest, therefore we should make no changes so far as recruitment is concerned. Do you take that view?—No, absolutely.

12327. As I understand your evidence, you take exactly the opposite view?—Yes.

12328. Your view is that this unrest arises from certain political causes, and some of those causes at any rate, would be removed if the door were thrown open?—Absolutely.

12329. I wish to be quite sure and get it on the record that that is your view. Now with regard to your scholarships scheme, would not that be an extra inducement for men to enter the Government service?—Yes. Personally, I attach more value to men who come to the commercial side and develop industry. My object in saying that is that there is a certain amount of discontent now that our countrymen cannot get sufficient number of posts in Government service. To allay that discontent, I said, and I suggest, that better facilities should be given to them. There is a sign now of the industrial movement in India improving; and I believe that intelligent men will come into business concerns; but unless industry is more developed the men will try to go into Government service. I hope, and I am sure that the time will eventually come when men will prefer going into the industrial side, rather than going into Government service.

12330. Do you bring out any of your Europeans under agreement?—Yes.

12331. Does that agreement specify their salaries?—Yes.

12332. And their leave?—Yes.

12333. How does their leave compare with the leave granted to Civil Servants?—We give better terms because we do not give any pension. In my firm they are entitled to go to England on six months' leave after five years' service, some on full pay. Their passage is paid both ways.

12334. First class or second class?—First class.

12335. That would be in the case of superior Europeans, I suppose?—Those who are drawing over Rs. 400.

12336. Do you insist upon their taking a holiday every year?—They take ten days or fifteen days' holiday and go to the hills.

12337. Those ten or fifteen days are not separate holidays: they are a block of time; is that so?—Yes.

12338. Do you insist upon their taking that ten or fifteen days' holiday?—It is according to their health. Generally we prefer that they should go away for ten or fifteen days once a year—going to the hills.

12339. Would you allow a man occupying a responsible position in your firm to work for three or four years without a break?—No.

12340. You do not allow it?—No; we do not allow it.

12341. Do you think it is a good thing for Government to allow its servants to do it?—It is not good, because they cannot work.

12342. (*Mr. Sly.*) Can you kindly give us some idea about the comparative prospects in regard to pay between Europeans employed in your business firm and the Indian Civil Service. On what pay do you recruit your European assistants?—Ordinarily, if they are not professional men like accountants or clerks, we used to give them Rs. 300; but since there has been a rise in living we are obliged to allow them to begin at Rs. 400. They go up to Rs. 1,000, and Rs. 1,200.

12343. After how many years' service?—Every five years there is an agreement, and with each agreement they get a further increase.

12344. What are the terms of the first agreement?—Rupees 400 to 600. After five years, if they are good servants, they get Rs 700 rising to Rs. 800 or Rs. 900. After another five years they go up to Rs. 1,500. As they go up higher and get more useful we give them more pay. We do not, as a rule, go by actual calculation, or anything like that. If a man is useful we make him content, and we give him as much pay as we can.

12345. Can you give us any comparison between the ultimate prospects of the European who enters business in Calcutta, and the European who enters the Indian Civil Service? Who has the best ultimate prospects?—In our firm, so far as the engineers are concerned, they not only get their pay, but when they have got eight or ten years' service they get a share in the profits, which, in the case of one man, at any rate, who has a record of 15 years' service, brings his income to over Rs. 3,000 a month. A man may rise to the position of a partner if he is an especially good man. He comes to be a partner gradually.

12346. The Indian Civil Servant retires from this country on an annuity of £1,000—all of them, no matter how they have done, good or bad, successful, or unsuccessful. Have the Europeans who come out into your firm, when they retire from business and go back to England, sufficient funds saved in order to give them an income of about £1,000 a year?—Yes, some: if they are of a saving disposition. I may mention that we have a Provident Fund in connection with our firm. A certain amount of pay is deducted, and we add as much as what they pay. The amount accumulates, and on retirement a man has a good lump sum to take away with him.

12347. A sum which you imagine produces £1,000 a year?—Yes, with their savings, and all that, after twenty years' service.

12348. Would it probably average £1,000 a year?—Yes. I should think so.

12349. With regard to your scheme for simultaneous examination, in the example you give you propose that 20 vacancies should be recruited for in India out of 80?—Yes.

12350. If the Indians are not within the list in accordance with the order of merit, they will not get that 20?—No.

12351. I want to be clear about this. On the other side, there are more than 20 Indians included high up in the order of merit above the English candidates? What would you do with those?—I do not anticipate that they will get more for years to come; but if they do come, of course, that will have to be decided. I cannot say.

12352. Your examination presupposes 20 vacancies in India?—Yes.

12353. If there were more than 20 Indians who qualified in order of merit, what then?—I cannot tell; but I do not think it will come for some years. Nowadays we send the best boys to England to pass the Civil Service examination, and many of them fail after they have passed M.A. here.

12354. In answer to question (6), you suggest, do you not, that the percentage of Indians should be increased to about one-fourth of the total number?—Yes.

12355. Will you kindly tell us on what basis you fix that one-fourth? What are the reasons in your own mind which induce you to fix that percentage of one-fourth?—My object in fixing that percentage is that it will allay the unnecessary fears which already exist in the minds of the European community here. If the limit is fixed, there will be no cause for discontent. But if the European community is again discontended, as they were before, it will be a very bad thing for the development of the commercial industry of India.

12356. You think that three-fourths would be ample to allay that feeling?—Yes. It will be gradual. I anticipate that the one-fourth will come within eight or ten years. It will come gradually. If the Indians do good service, the Europeans will see no objection to them.

12357. Does that one-fourth proportion represent Bengal or the whole of India?—The whole of India.

12358. Does it include Burma?—I have not taken Burma into my consideration.

12359. In answer to question (11) you have suggested a separate method for recruitment in the Judicial branch of the service?—Yes.

12360. You suggest a separate examination?—Yes.

12361. You do not support any scheme for recruitment of the Judicial service from the Bar?—It might be done in some exceptional cases, but not many.

12362. You would prefer a separate recruitment by competition from the Bar?—Yes.

12363. Can you tell us your reasons for that answer?—As I told you, there is now a feeling that Civilian Judges are not as competent as Barrister Judges, because they do not know law as much as the others do. I am not a lawyer myself, and I cannot tell you exactly; but that is what the actual feeling is. Therefore, if you have a separate examination for the Judicial branch, that complaint must disappear. They would practically be as good as Barristers, and they will be kept for that service. A good many Indians will go to that service, and that will also relieve the present difficulties which Europeans apprehend with regard to so many Indians going into the Executive service. That will, to a certain extent, be relieved.

12364. Would not that feeling be equally allayed if recruitment were made direct from the Bar instead of by a separate examination?—Recruitment from the Bar will create favouritism.

12365. It is because you wish to get away from the element of patronage?—Yes, there will be discontent, because someone will be passed over whilst others are taken.

12366. In your scheme for recruitment for the Provincial Civil Service you have suggested that half of it should be by nomination, and half of it by examination?—Yes.

12367. Will you tell us why you want that half by nomination?—Because there are certain classes that may not be able to compete, and for political reasons the Government may think that they should have a certain class of people in the service. Therefore, I think that Government should have the option of appointing half, if they think it desirable.

12368. You think that is important?—Yes. I think that is important.

12369. But the result of it, of course, will partly be that if all the successful men in the open competition are recruited from Bengal—the Hindu community—a very large percentage of the nominations will have to be exercised in favour of the Muhammadan community and possibly the Indian Christian community?—Yes, but not at the sacrifice of efficiency.

12370. Do you think it would cause any political embarrassment that the nomination by Government should almost always be exclusively exercised in favour of one community in particular, and not of others?—At present it amounts to this.

12371. At present it is wholly by nomination, and Government nominates from all communities?—Government will see that each community is represented.

12372. Will not that create a feeling of a sense of injustice in the minds of other communities?—Competitive examination is the best, but it cannot be done at present. As the Government will not do it, it is much better to do it in that way.

12373. You are brought, are you not, in your business relations very closely into touch with the European non-official community?—Yes.

12374. You are also brought fairly closely into touch, I presume, with the European official community in India?—Yes.

12375. You are well acquainted with both classes?—Yes.

12376. I should like to ask you whether you have noticed any distinction at all in the relations between those two separate classes, the European officials and the non-European officials: have you noticed any difference in their relations with the Indian educated classes and the educated community in any way?—European officials are far better than European non-officials. They have better relations with the Indian educated classes.

12377. They have?—Yes, certainly they have, in every way.

12378. Can you account for that in any particular way?—First, the European officials see Indians more in their private capacity and in other different ways; secondly, the officials are generally loyal to the service. The high class officials sympathize with the Indians generally. They are very loyal to their service. They know that their prospects lean towards being friendly with the Indians, and they do so.

12379. You lay particular stress upon Western methods of training for Indians?—Yes.

12380. In answer to question (16), I see you have suggested certain changes in the subjects of the open competitive examination?—Yes.

12381. Do you think that if those changes are made there would be any fear that the Western education, and the Western method of training, would, to a certain extent, be sacrificed by those changes?—I do not think so. The subjects are so many that I do not think that will be the case.

12382. You have put in some Indian subjects more particularly, but you do not think that would affect it?—I have done that because I sent four students at my own expense to pass the Civil Service examination, and I noticed from the results in Latin and Greek that they were the cause of their failure. When they go to England they cannot get sufficient time to study those subjects.

12383. You say you sent four at your own expense to England?—Yes.

12384. Was there any condition that if they passed that examination they should repay the cost of their education?—No. They are my relatives.

12385. Is it at all customary in Bengal for clever Indian youths to be sent home to England at the expense of private friends or caste-fellows, in order to get over this difficulty of expense of training?—It is not very much the custom. There is an association here which sends boys home for scientific purposes, but not for the Indian Civil Service examination; and even then adequate funds are not supplied for them to complete their scientific education.

12386. I want to know whether there really is a substantial number of poor Indians having the best education which the country can give them, who are prohibited from going to England to compete for the examination?—Yes, there is.

12387. In some parts of India you find such youths are sent home by subscriptions raised amongst their leading people?—That is not the case in Bengal. I do not know of any case here.

12388. (*Mr. Gokhale.*) Your firm is one of the very biggest in the country, is it not?—It is very difficult for me to answer that question.

12389. How long have you been senior partner in your firm?—For the last seven years.

12390. Will you tell us how you came to go into this firm? It was a European firm before you joined it, was it not?—It was a European firm.

12391. You were taken in as a partner?—Yes.

12392. Tell us how you were taken in as a partner?—First of all I had a business of my own. I tendered for the water-works at Agra. I think my tender was reasonable; it was the lowest; but my tender was not accepted, because I was a Native of India. However, I had ambition in me, and I told myself that unless I joined a European firm I should not be able to do good business. My tender was a reasonable one, and the feeling engendered caused some of the other European competitors, to come to me and ask me whether I would join them. I settled terms with my present firm. I entered the Company and joined them.

12393. As junior partner?—No, not at first. I joined them in connection with some temporary works in connection with the Allahabad Waterworks; and after one or two years I became a permanent junior partner. Now I am senior partner.

12394. You are an engineer?—Yes, I was brought up as an engineer.

12395. I believe you had not been to England for your education?—No, not for my education.

12396. Before you became a partner in this firm you had not been to England?—No.

12397. When you became a partner in this firm you must have been placed at the head of some department?—Yes.

12398. Where there were Europeans?—Yes.

12399. So that without your having been to Europe you were in a position to discharge satisfactorily the responsibilities of the head of a department with Europeans under you: that happened to you?—Yes.

12400. There may be Indians in the country, though they may not be in your firm, who may be similarly placed in that respect?—If they got the opportunities.

12401. There might be Indians who would be able to manage a department in which there are Europeans even if they have not been to England?—My view is that there are other Indians who are in every respect equal to Europeans and equal to any nation in the world.

12402. You would at the same time improve their position, and reduce the chances of friction by sending them to England?—Yes. They must know the habits and ways of Europeans.

12403. There is one question of a general character I should like to ask you. What is your opinion about our very select men in the country holding their own against Europeans from every standpoint?—They are very few, but those few are as good as Europeans.

12404. In every respect? In every branch of life—legal, civil, and commercial—you will find some Indians as good as Europeans.

12405. You do not think that they would be inferior in any respects?—The average is very small.

12406. You think the Indian average is inferior?—Yes.

12407. But you think that selected Indians could be found who could hold their own in every respect?—Certainly. Why not?

12408. With regard to Indian students, in reply to Mr. Macdonald you said that at present Indian students hankered after Government service first?—Yes.

12409. And then comes law, and the other professions?—Yes.

12410 And finally they come to commerce, if they do come to commerce?—Yes.

12411. That would be the average Indian student of to-day?—Yes

12412. Taking the best Indian students; do you think that the best Indian students prefer Government service to law, or do you think they prefer law to Government service?—They prefer Government service, because they get the status at once.

12413. The prizes at the Bar are higher?—Yes, but there is a certain amount of difficulty. It will take some years before they can obtain a position at the Bar.

12414. Do you not think that the best man would go to the Bar?—The very best man, who has confidence in himself, will probably go to the Bar.

12415. You said that owing to this new industrial awakening there was a perceptible tendency in the direction of young men in India seeking commercial careers?—Yes.

12416. But that tendency is not very marked, is it?—Yes; within the last few years it has been very perceptible.

12417. You think that it will be more and more marked as time goes on?—It is bound to be.

12418. If the best men in course of time come to prefer industrial careers to either Government service or the Bar or the professions, would that be a matter for regret?—I think the time will come when the Government will find it difficult to get men to come into their service.

12419. If that happened, supposing that time did come when Government found it difficult to get men into its service, and men went in for commercial careers, would that be a matter for regret in itself?—That would be a matter of congratulation to all of us Indians. I wish it could come sooner than it is likely to come.

12420. At the same time, have you noticed any tendency at present amongst the best Indian students not to go into Government service?—Yes, lately.

12421. Why is it? Is it because they would like to go in for commercial careers, or is it in consequence of any sense of bitterness?—There is a sense of bitterness,—that they are not treated equally with Europeans; but personally, I do not know many cases of that.

12422. Young men come to you for employment, and in that way you come to know what they think about these matters?—Yes.

12423. If the best young Indians turn against Government service with a feeling of bitterness, that would be regrettable, would it not?—That is why I said that I thought there should be 25 per cent. of Civilians. Personally, I should like not one to go into the Civil Service, but that they should go into industrial commerce.

12424. That is, if they seek these careers without any feeling of bitterness?—That would be the ideal thing.

12425. Otherwise, it would be an unfortunate thing?—Yes.

12426. As I understand your scheme, you would first of all prefer that about 40 or 50 scholarships should be awarded to the best Indians who should proceed to England?—Yes.

12427. In which case there need be no examination in India?—That is so.

12428. If you fail in that, you will have what you call a simultaneous examination of a conditional character in India?—Yes.

12429. Let me be clear about this simultaneous examination of yours. You would limit the total number of Indian entrants to one-fourth?—Yes.

12430. That is to be the maximum?—Yes.

12431. It may be less than one-fourth, but it should not be more than one-fourth?—It will be less, in fact.

12432. The first men to get into the service would be the men who get in by the London door?—Yes.

12433. Supposing, as you yourself have said here, that there are 80 men to be taken in one year, you would like 20 of them, as far as possible to be Indians?—Yes.

12434. Suppose that in 1915, 80 vacancies are announced and only 8 get in by the London door, there remains a deficiency of 12 Indians?—Yes.

12435. For which, in 1916, you would hold an examination in India at the same time as the Civil Service examination is held in England?—Yes.

12436. That is to say, the papers would be the same?—Yes; everything would be the same.

12437. But the English examination will be for the number of vacancies for 1916?—Yes.

12438. Whereas the Indian examination will be only for those 12 posts?—For those 12 vacancies.

12439. Supposing in 1916 there are 80 vacancies announced by the Secretary of State, you would have the usual examination in London for those 80 vacancies?—Yes.

12440. And for the 12 vacancies of the previous year, which were not filled because the number of Indians was not available, you would hold the same examination in India?—Yes.

12441. And if 12 passed, you would take the 12?—Yes.

12442. And if less than 12 passed, you would take less than 12?—Yes.

12443. There would be no possibility of more than 12 coming in, because the examination is held only for 12?—There may be in that year again another 20 per cent.

12444. That is, from the London number of 1916. We are just now dealing with the deficiencies of 1915, which you have given to India?—That is all I meant; that there should be one examination, and that there should be opportunity given here for scholarships for Indians who cannot afford to go to England and pass their examination; but on no account is there to be more than 20 per cent.

12445. You say that for the present you would limit it to one-fourth?—Yes.

12446. But you would increase it later on as the confidence of Englishmen in the successful nature of the arrangement was established?—Yes, certainly.

12447. You think that if you asked for any larger proportion now they would be frightened?—Yes.

12448. But that if the one-fourth proportion succeeded in practice, and the Administration was found not to suffer, the better men amongst Englishmen would be ready to advance further?—Yes.

12449. And so you would go on gradually?—Yes.

12450. And that is why you propose one-fourth?—Yes.

12451. In answer to question (9), speaking of the London door being closed under any possible arrangement, you say, "This reactionary measure, if ever introduced, is bound to arouse a great deal of discontent." Will you explain what you mean by that?—We middle class people, those of us who have been to England, would like to send our boys to England for education; and if those schools are closed for our boys, the discontent will come to us, who up to now are not discontented. Should that time come we will be discontented, too.

12452. There is a class in this country who appreciate the advantages which an English education offers to their children?—Yes.

12453. If the English door were closed their children could not appear there, and this class would be discontented?—Yes; and that is now the best middle class.

12454. You say you do not want to fix a minimum proportion of Europeans. I gather, for the present, at any rate, that you would not have more than one-fourth Indians, while at the same time you do not want to lay down in black and white any number of Englishmen as the minimum that should be in the service; is that so?—Yes.

12455. Why is that?—It would only create discontent. Let it adapt itself as it goes on. It will come to that. Allay the fears in the minds of certain communities.

12456. The discontent would be on both sides. If the proportion were too low, the English side would be discontented; and if it were too high, the Indian side would be discontented?—Yes.

12457. You would leave it alone and determine from time to time how it should be secured in practice?—Yes.

12458. You say that Civilians who arrive in this country should be placed under a Collector or District Magistrate of marked sympathies with the people, for their probation. Who is going to determine this?—The head of the Government. It must depend upon him.

12459. But that would depend upon the views and sympathies of the head of the Government?—Experience tells us that the heads of the Government have keen sympathy.

12460. But that, in practice, does not help us very much, does it?—No.

12461. In reply to question (50), sub-section (iv), you say, "Indian District Magistrates or Judges should not, as is now generally the case, be posted to an unimportant district and grouped together." Are you aware if there is any serious complaint among Indian District Magistrates or District Judges on this score?—I have often heard that.

12462. That they are so posted?—We see it whenever a Magistrate is Indian, when a Judge is Indian, when the District Superintendent of Police is Indian, and when the medical man is Indian.

12463. They feel they are treated as inferior?—Yes.

12464. And the very district where they are posted is regarded as inferior?—Yes.

12465. And you think it is a legitimate grievance on their part?—Yes.

12466. Do you think that this is a comparatively new departure, or has it been so in the case of Indian Civilians always?—It is getting gradually worse.

12467. They were posted to important districts at one time?—Yes.

12468. The evil you complain of is growing?—This is more due, if I may say so without giving offence to anybody, on account of promoting these Provincial Civil Service men to these posts. I know a place where the Magistrate and the Judge and the District Superintendent of Police are promoted Provincial Civil Servants.

12469. Anyway it is somewhat natural, as the social life of European officials in a place is involved in it?—I cannot blame them. These men will not mix with them socially.

12470. And you think that Indians should go to England and get into the Civil Service, so that in that way they may share in the social life of Europeans?—Yes.

12471. You know a number of Indian Civilians and English Civilians in this Presidency?—Yes.

12472. A great many of them?—Yes.

12473. Will you tell us what your opinion is of them, in a general way, both on the Executive side and on the Judicial side: do you find that one class is better than the other?—I do not make any distinction.

12474. Do you find Indian Civilians as a class are inferior to English Civilians?—No.

12475. On the Judicial side?—No.

12476. On the Executive side?—No.

12477. (*Mr. Chaubal.*) I only want to ask you one question, but I do not wish you to answer it if you are not disposed to do so. It has reference to your answer to question (57) with regard to the Provincial Civil Service. What is your feeling? Do you think that the administration of justice in the country would be better if the judicial and magisterial functions of an executive officer are taken away, and given to separate officers? Do you think the two should be separate?—That is the feeling in the country now, and I think it would be better.

12478. In that view, do you think, that the subordinate magistracy are not carrying out their Judicial functions properly?—Yes.

12479. Can you tell us shortly in what way they are supposed not to be doing their Judicial duties properly?—They, to a certain extent, do their work according to the wishes of the superior officers.

12480. (*Sir Theodore Morison.*) Are the Englishmen whom you employ in your service, University men?—No, not necessarily.

12481. Do you find that they hold their own socially with the men in the Indian Civil Service?—Yes; these higher class officers hold their own socially with the Indian Civil Service.

12482. You lay stress on that in your evidence?—Yes.

12483. Have you yourself employed any of the technical scholars who have been trained in England?—We have some.

12484. Do you pay them as much as the Englishmen?—No. The difficulty is that we have very few. When they come out from England they do not like to be apprentices getting small pay.

12485. They do not like the pay the Englishman accepts?—I am talking of the Indian who has qualified himself at the technical examination in England. When he comes out here he wants much higher pay than we, as a commercial firm, are willing to pay him to begin with. There are many Indians whom we cannot take. We must go to the cheapest market for our business purposes, and get good men. That is the reason why in our firm we have not a good many Indians who have passed, or qualified themselves, in some technical branch in Europe.

12486. These men, I understand, have got the social qualifications which you desire?—Yes.

12487. Their theoretical education, I suppose, is fair?—Yes.

12488. I do not quite understand what you said about the salary which they demand. Do they demand higher salaries than Englishmen?—No. We never bring Englishmen out direct from college. They generally have their practical training there; but those Indians who are sent to England with scholarships finish their college course there, and come out here.

12489. If you could get these Indians to have some practical experience such as Englishmen, then you would prefer it?—I should prefer it.

12490. What sort of salary would they start with?—They would get the same pay as Europeans, Rs. 400 or Rs. 500, and go up to Rs. 2,000, provided they were equally capable.

12491. How much practical training should Englishmen get before they come here?—Two or three years. Some of them never go to a University. They go to a practical place—to an engineer or an architect—and there they apprentice themselves and they learn their profession well before they come out to us.

12492. You employ that class of man because it is the cheapest?—We do not make any distinction whether he has a University degree.

12493. The reason why you do not employ an Indian and you do employ an Englishman is because the Englishman is a tested man, and it is cheaper to get a man of that sort?—Yes.

12494. (*Lord Ronaldshay.*) You say that the best English students try to get into the Home Service in preference to the Indian Service. That was not always the case, was it?—As far as I know, for the last five or six years.

12495. It was not the case in previous years?—No.

12496. Do you think that the popularity of the Service out here has declined in recent years?—They do not like to come out to India. That we see, as the practical results of examination. I do not know for what reason they do not like to come out to India.

12497. With regard to your scheme for recruitment, your answers to Mr. Gokhale do not quite clear up some difficulties which I still see in the way of your proposals. I want to ask you whether I have understood them correctly. Your scheme is this. There are eighty vacancies in one year to be filled. Twenty of these, according to your scheme, are to be reserved for Indian candidates?—Yes.

12498. The examination is then to be held in England?—Yes.

12499. Supposing the first sixty-five places in the examination are filled up, sixty Englishmen and five Indians. So far so good. But supposing the next ten places are filled by Englishmen, and then again, five places by Indians, what are you going to do; are you going to knock out the ten successful English candidates and put five unsuccessful Indian candidates in the Service over their heads?—I would not do anything. I believe that if facilities are given in India, you will get a certain number of Indians to compete. I do not want any special favour for Indians.

12500. You say that twenty vacancies are to be reserved?—I say that is the maximum number to be given. I do not say that is the minimum.

12501. That is very important. Then you must qualify your written evidence on that point?—Yes.

12502. That makes a great difference in your scheme?—Yes.

12503. There is one more question I want to ask you. You say that there is a tendency in cases where there is an Indian District Magistrate to man the District staff mainly by Indians, and that it creates a great deal of discontent. Does it create discontent among the Indian members of the Service?—Yes.

12504. And does it also create discontent among the inhabitants of the District?—In this way only, that the people think that there is a certain sort of treatment accorded to these men which they should not get. They are treated as a separate sort of man.

12505. Then the inhabitants of such a District do rather object?—I do not think it makes any difference to them.

12506. You have never heard of a case, for instance, of a memorial being sent up to Government by the inhabitants of a District which was so administered, asking that they should have a certain number of Europeans?—I have not heard of that.

12507. There is another question of a minor character I should like to ask you. You say that in giving promotions a proficiency in Indian languages should carry greater weight than it does at the present time. How do you test the proficiency of students in languages; I suppose only by examination?—Yes.

12508. Do you desire that before a man is promoted he should go up for an examination in the language of his Province?—Yes.

12509. How often is that to take place—on each promotion?—Before he is promoted to a higher grade. Before an Indian becomes a Collector he ought to know the language of that Province.

12510. Very well. Before an officer is promoted to a District you would like to see him submitted to an examination in the language?—It would be better for him and better for the community. They would understand each other.

12511. That examination I suppose would be of a similar character to the departmental examination which is at present imposed upon an officer in the first two years?—The examiner should not be a Civil Servant. The examiners should be quite different men and Indians. Bengali should have a Bengali examiner. If it is Urdu it should be a Muhammadan examiner.

12512. There is one other qualification which you would like to see tested, that is to say, you think that before an officer is promoted consideration ought to be given to the question as to whether he has been sympathetic towards the inhabitants during his previous service?—Yes.

12513. How is that to be tested? You cannot test that by examination?—That is probably the feeling; the Government must, and does know. You cannot say that the Government does not know whether an officer is popular or not in a place. He cannot hide it; it comes out.

12514. It is tested by Government?—Yes, by those who give the promotion.

12515. (*Mr. Bompas.*) You mentioned the case where an Indian chemist employed at your iron works had to leave because he could not get on with the Europeans?—Yes.

12516. What class were the Europeans; were they chiefly the mechanic class?—Yes.

12517. Would you say that an educated Indian would find it more difficult at present to control Europeans of the mechanic class—the lower class—than to control Europeans of a higher social status?—Yes.

12518. And in any position where you had to deal with that class of Europeans, it would be advisable to employ a European officer?—Yes.

12519. You were asked whether there was discontent among a certain class of the population owing to the feeling that they were not getting a fair share of Government appointments, and that it would be wise to allay that discontent, and to give them a larger share of Government appointments?—Yes.

12520. Would you do that if it led to a decrease in the efficiency of Government?—No.

12521. You would not risk general discontent with the Government merely to satisfy the discontent of that class?—No, only to give them facilities to shut their mouths, so that they cannot say that they cannot get it.

12522. You are, I believe, much interested in the development of Bengal on the industrial side?—Yes.

12523. And you are much interested in the Bengalis?—Yes.

12524. You would do everything to employ them in your office, other things being equal?—Yes.

12525. At present you only employ Europeans in the higher posts, because you cannot get Bengalis with the necessary qualifications?—Yes, that is so.

12526. (*Mr. Mukherji.*) I take it that you wish to improve generally the pay and prospects of the Provincial Civil Service men?—Yes, certainly.

12527. But your scheme would take away the listed posts from them very largely, would it not?—Yes.

12528. How would you compensate them for the loss they suffer?—By increasing the number of higher posts—Rs. 1,000 posts—and by increasing their pay from the beginning.

12529. Do you not think that they ought to go considerably higher than Rs. 1,000 in that case, because now they can rise to first-class Magistrates, and get Rs. 1,600?—Only two or three. I keep that door open. I said they should spend one year's probation in England.

12530. In answer to question (59) you say that the pay of the Provincial Civil Service men should not be adjusted according to the market value, but that it should be fixed with a certain relation to the prestige and dignity which it carries?—Yes.

12531. You therefore think that the present scales of pay are insufficient and inadequate?—Yes.

12532. (*Mr. Sen.*) You object that a District should be entirely officered by Indians; is that your objection?—I do not object. I said that there is a grievance amongst those men; that they complain.

12533. Do you not think we should be grateful to Government for doing all that, because it is a sort of experiment whether a particular District cannot be entirely made over to Indian administration?—Not creating that discontent. If officers are so discontented they cannot work properly.

12534. Have you found that officers are discontented?—Many. If I am allowed to give the names I will mention them.

12535. The policy of Government is that an Indian District should be made over entirely to Indians as a sort of experiment?—It so happens that these Districts are notoriously unhealthy Districts.

12536. When I was a Munsif in Bankura District they were all Indians, namely, the Judge, the Magistrate, and Superintendent of Police, and it is a particularly healthy District?—All I say is what I have heard from these Civilians and Provincial men; they are discontented. They say it would look as if Government wanted to group them together to avoid their having any control over Europeans.

12537. Will you kindly look at your answer to question (24)? You say: "Especially deserving and meritorious officers from the Provincial Civil Service may be promoted to the listed posts, provided the conditions stated in my previous answer are fulfilled." The condition I find in your answer to question (6), where you say: "It is absolutely necessary that men who are to occupy the positions of District Magistrates and District Judges should have a training which will enable them to maintain their position and dignity on a footing of equality with their brother European officers."?—Yes.

12538. But you have at the same time recommended that they should get equal pay?—Yes.

12539. In your answer to question (47) you say that they should get exactly the same pay as the European officer?—Yes.

12540. Is not that sufficient to maintain their position and dignity, and be on a footing of equality with the European officer?—It is not only the pay.

12541. What sort of training do you wish?—They begin their life as a subordinate, and naturally they cannot have the same sort of knowledge as an officer who has been appointed from England. If they go to England and spend a year of probation there, they would be more fitted for that post than being simply promoted from this country.

12542. You confine your remarks to the particularly deserving and meritorious officers?—Only those deserving and meritorious officers should be sent to England for one year's training.

12543. You insist upon the training in England as a necessary condition?—Yes.

12544. Is that a necessary condition for an Indian Judge too?—Yes.

12545. But there are Indian vakils of the High Court who do not live in European style?—But in the High Court in Calcutta, and in a big town like Calcutta, it does not matter. There is a large population here, and we do not care whether a Judge lives in any style or not; but in a District where there are only four or five officers, the District Judge ought to live in a style becoming to his dignity and position.

12546. If he gets Rs. 2,000, what is the reason for supposing that he cannot live in a style which will command respect?—I have seen Indian Judges travelling in the intermediate class with chaprasis.

12547. That is very unfortunate. You are referring to a particular class—I am speaking of District Judges?—We are speaking of Subordinate Judges.—District Judges? I have known Subordinate Judges when they are promoted to District Judges to send a petition to Government asking to be called "Esquires" and "Misters," and not "Babus." Why do they adopt European dress as soon as they are made Judges? As soon as they are made Judges they adopt European dress, and they think that unless they live like Europeans they cannot maintain their dignity.

12548. My next question is about a point of service. You say that a Munsif takes twenty-four or twenty-five years to become a Subordinate Judge?—Yes.

12549. I should say it is 18 or 19 years?—It may be.

12550. At present a Munsif becomes a Subordinate Judge at the age of 50 or 51 and he gallops through all the grades from Rs. 600 to Rs. 1,000?—Yes.

12551. Do you think that is a satisfactory state of things?—No, I said that they should be promoted quicker and get better pay.

12552. So that in your opinion a Munsif should become a Subordinate Judge not after but before he reaches 45 years of age?—Certainly, not after all his energy is gone.

12553. When you suggest that the salaries of the Provincial Service should be increased, do you include the Munsifs?—Yes.

12554. At present a Munsif does not get Rs. 400 before he is 40 or 43 years of age, and Rs. 500 before he is 48 or 49 years of age?—I know they cannot live respectably on that pay.

12555. And you recommend a general increase of salary?—Yes.

12556 (*Mr. Chaubal.*) Your acquaintance with the European circle is very large; have you come across European Civil Servants who, within the first six months or one year of their coming to this country, are able to converse freely with villagers?—I have never come across such a man.

12557. Do you think it likely, from your knowledge of the vernaculars, or possible, that an Englishman could, within one year of his coming out to this country, be able to speak freely with the ordinary villagers in the mufassal in the vernacular?—Only in very exceptional cases. Not in ten years would they be able to do so.

12558. (*Chairman.*) Am I right in supposing that your proposed scheme of examination would limit the entry of Indians to one-fourth, that only those Indians who come out in the ordinary list of successful candidates would be admitted, and that the original list would never exceed one-fourth of the whole?—That is my view.

12559. That is a correct interpretation of your scheme?—Yes.

(The witness withdrew.)

SYED ALI ASHRAF, ESQ., Judicial Personal Assistant to the Commissioner of the Presidency Division.

Written answers relating to the Provincial Civil Service.

12560. (1) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions governing recruitment to the Provincial Civil Service as defined in the Government of India Resolution are suitable enough so far as they go, but are susceptible of improvement in some respects. For instance clause VII should be so modified as to limit the right of the Local Government to make promotions, without regard to seniority, to the grade of Rs. 600 and higher grades, but seniority alone should ordinarily give a claim to promotion at least up to the grade of Rs. 500. There is a general feeling of dissatisfaction in the Service in regard to the direct appointment of outsiders to the higher grades of the Service by Government, over the heads of many experienced officers of high character and undoubted ability. If such direct appointments were to be made only to offices in the lowest grade of the Service, there will not be any heart-burning or discontent among the members of the Service. Clause VIII should therefore be so amended as to confine the direct appointment of outsiders by Government to the lowest grade of the Service.

12561. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules, though on the whole suitable, do not fully satisfy the aspirations of the representatives of the highly-educated section of the community. The rules should be so altered as to introduce a system of open competition combined with nomination, *viz.*, candidates for half or at least one-third of the appointments annually made should be recruited by an open competitive examination, and the rest should be selected by nomination. For a full description of the system which I recommend, please see my answer to question (6).

12562. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Open competition combined with nomination. Under the present system of pure nomination, the best selections, even when most impartially made, will be open to the suspicion, however baseless, of some sort fo unconscious bias in favour of the selected candidates, specially in cases where the qualifications and claims of many of the candidates are evenly balanced. This suspicion of bias can only be effectually disarmed by an open competitive examination, at least for candidates with the highest intellectual attainments, who prefer to enter the Service by sheer dint of superior merit. Moreover, by throwing open a reasonable proportion of direct appointments to open competition, Government will secure not only the most efficient candidates, but satisfy the very natural ambition of such representatives of the educated classes as wish to stand the supreme test of a difficult competitive examination. To exclude undesirable candidates, permission to appear in the competitive examination may be made conditional on the production of satisfactory proof of respectability and good character. I would, therefore, suggest that the rules should be so modified as to allot three out of the six appointments now made annually on the nomination of Commissioners and the Syndicate of the Calcutta University to open competition, or at least the two appointments now made on the nominations of the Syndicate of the Calcutta University should be thrown open to pure competition. The remaining three or four appointments, as the case may be, should be made on the nominations of Commissioners, regard being had to the desirability of securing a fair share of appointments to each important section of the community. Such a system of pure competition, combined with nomination, is most likely to meet with general acceptance. As an alternative, I would rather return to the system which was introduced by Government Resolution of the 24th April 1889, published in the Supplement to the *Calcutta Gazette*, dated the 1st May 1889, *viz.*, open competition combined with selection from amongst the unsuccessful candidates who have obtained the highest marks and the otherwise qualified according to the rules, with a view to secure the adequate representation of all important sections of the community in the Service.

12563. (7) To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited? —Ordinarily, only residents of the Province should be recruited, provided they are fit persons. In special cases non-residents may also be recruited, provided they are deserving and duly qualified persons.

12564. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable and what arrangements do you recommend to secure this object?—No. For instance, the Muhammadan community, having regard to its importance and numerical strength in this Province, is not adequately represented at present in the Service. The adequate representation of all classes and communities in the Service is certainly desirable, provided it is secured without lowering the standard of ability necessary for the efficiency of the Service. The existing system, as also the system recommended by me in my answer to question (6) is suitable for securing the adequate representation of the important sections of the community. But the existing system can be further improved by allotting a certain proportion of appointments to each class and community according to its importance and population.

12565. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The present system is suitable enough, but its working is not quite satisfactory. Probationers are not always properly trained under the personal supervision of the District officers. Some of them are employed too much on outdoor work. Many of them are employed simply to do the routine work of Revenue Departments without being thoroughly trained to understand the practical working of the departments. I think every probationer should receive training under an experienced Deputy Collector in each important Revenue Department for a fixed period, at the end of which he should be examined verbally by the District officer, who will then report to the Commissioner if he is satisfied with the training in any particular work undergone by the probationer.

12566. (10) Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—I think it is quite suitable. I would only suggest that if the existing system of recruitment is to continue, the departmental examination should include one paper in drafting and précis-writing.

12567. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

12568. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—Only 12 appointments are made annually at present. It has not secured an even flow of promotion.

12569. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The system of selection is enforced for promotion to the grade of Rs. 500 and higher grades. The system is not satisfactory from the point of view of the members of the Service.

12570. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Selection is made on the basis of the remarks confidentially reported by superior officers, which, though generally fair and discriminating, are often very divergent. The system of selection should be enforced for promotions from the grade of Rs. 500 and upwards Promotion up to Rs. 500 should ordinarily be by seniority only. Moreover, before an officer is superseded, the reasons for his proposed supersession should be communicated to him, and he should be given an opportunity of submitting some explanation in his defence, which should be considered by the Governor in Council before he is actually superseded. Also, supersession should ordinarily be confined only to officers who, on account of any misconduct or serious neglect of duty, are considered unfit for promotion to grades above the grade of Rs. 500. Officers specially in the grades below the grade of Rs. 400, should not be superseded for such trivial faults as lack of zeal or slackness.

12571. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The arrangement by which certain posts ordinarily filled by members of the Indian Civil Service are listed as open to officers of the Provincial Civil Service of proved merit and ability is satisfactory, but I am not aware of the system followed in making appointments to these posts. I think that the most suitable system of making appointments to listed posts, if it is not already in vogue, would be for the Governor in Council to personally select officers for appointment to listed posts, after fully considering the claims of all officers recommended for such posts by the Hon'ble Member of the Board, the Commissioners of Divisions and other high officials. Moreover, the number of listed posts, open to the members of the Provincial Civil Service, is not sufficient and should be increased.

12572. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. A better system would be to give these inferior listed posts to promising young officers, who may be specially trained in such a way as to be afterwards fit to be promoted to higher listed posts.

12573. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

12574. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle recommended by the Public Service Commission of 1886-87 is suitable.

12575. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The last general organization was effected in 1906. But the improvement of prospects effected thereby has not been satisfactory.

12576. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. The existing rates of pay and grading are not satisfactory. They are not adequate to attract the desired type of officers to the Provincial Civil Service. The rates of pay were fixed about 50 or 60 years ago. Since then the cost of living has much increased, but the rates of pay have remained unchanged. The purchasing power of the rupee has decreased in proportion to the increase in the prices of food-grains and other necessaries of life. A Deputy Collector drawing a pay of Rs. 400 a month now is financially not better off than a Deputy Collector drawing a salary of Rs. 200 about 35 or 40 years ago. Moreover, under the existing grading in the Provincial Civil Service promotions are very slow. I would suggest that two higher grades of Rs. 1,000 and Rs. 900 should be added to the Service, and the grading should be so arranged as to secure a reasonably quick flow of promotion. A reference to Appendix B will at once show that the constitution of the Provincial Civil Service in our Province does not compare favourably with that of the Provincial Civil Services in other Provinces, the number of appointments in the higher grades being disproportionately small. If two higher grades of Rs. 1,000 and Rs. 900 cannot be added, the Service should be at least graded like the sister Service, *viz.*, the Judicial branch of the Provincial Civil Service. Even if this concession cannot be made, the Service should be so graded as to enable the majority of officers to retire on full pension from the highest grade of Rs. 800. At present only a small percentage of officers can reasonably expect to reach the first grade before attaining the age of 55 years. A glance at the latest Civil List will show that many of the officers on the first grade are on extension. The two worst grades are those of Rs. 400 and Rs. 500, to pass through which it takes sometimes about 17 years. By increasing the number of posts in the higher grades, the rate of promotion should be so accelerated as to enable an officer to ordinarily reach the first grade in 25 years.

12577. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend? —No. If the alterations recommended in my answer to the preceding question are accepted, I would suggest that officiating promotions should be made in the Service when any officer goes on furlough or deputation for more than six months.

12578. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—I would prefer a time-scale, but it should not be restricted to the lower grades of the Service.

12579. (28) What is your experience of the practical working of time-scales of pay in other Indian Services?—I have no personal experience of time-scales of pay in other Indian Services, but so far as I have been able to ascertain from persons likely to know, they are intended to guarantee certainty of promotion after certain fixed lengths of approved service.

12580. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should, be laid down in regard to the grant of increments promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in Provinces where the scale of pay of the Executive and Judicial branches of the Service is different?—In case my suggestion to improve the grading of the Service by increasing its number of higher appointments is not accepted, as an alternative I would recommend a time-scale for the Service similar to that which has been fixed for the Provincial Service of the Public Works Department, *viz.*, there should be progressive increase of salary from the lowest grade by biennial increments of Rs. 50.

12581. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

12582. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—My impression is that they take more leave; both leave on full pay and medical leave and furlough. It is difficult to say definitely to what this is due. Perhaps this is due partly to greater stress of work, which frequently has to be done under very unhealthy climatic conditions, and also partly to the greater importance now attached to rest and change of air, which are now regarded by most of the educated Indians as essentially necessary for the recovery and maintenance of health.

12583. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—No, because it is (*i*) not easy to get leave on full pay without giving three months' previous notice; (*ii*) it often involves transfers from good stations. The amount of privilege leave which can be earned now is suitable but, as in the case of famine duty, officers should be ordinarily allowed to take four months' leave on full pay at a time. The three months' limit now imposed tells hard on many officers who are practically deprived of this hard-earned privilege simply for not having been able to avail themselves of it after every three years.

12584. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No, so far as I am aware. Yes, but I would only suggest that the furlough rules should be altered to allow an officer 6 months' furlough after every 5 years' service, up to the maximum limit of two years to which he is now entitled after 18 years' service.

12585. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes.

12586. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No. Yes.

12587. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The privilege leave and furlough rules do press hardly in some respects on officers of the Provincial Civil Service as pointed out in my answer to question (32) which also suggests the appropriate remedy.

12588. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Not quite satisfactory so far as the interests of the members of the Provincial Civil Service are concerned.

12589. (41) Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?—In the Executive branch of the Provincial Civil Service the first two years of service, though continuous, do not count towards pension. This anomaly should be removed and the first two years of substantive *pro tempore* service in the case of Deputy Collectors should not be deducted from their pensionable service. The period of service at present necessary for voluntary retirement on full pension is too long. It should be reduced from 30 to 25 years. Moreover, option may be given to officers to retire on half pension after 10 years' service, and on full pension on medical certificate of failure of health after 20 years' approved service.

12590. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Inefficient officers should be punished with stoppage of promotion with the option of retiring on any reasonable reduced pension which may be fixed by Government having regard to the special circumstances of each case.

12591. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Yes.

12592. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—No. For any changes recommended by me please see my answer to question (41).

12593. (46) Are you satisfied with the existing organization of the Provincial Civil Service?—If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—No. For any suggestions for improving the existing organization please see my reply to question (24.)

12594. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The only other proposals not covered by my answers to the previous questions are:—(*i*) That the privilege of presentation at the Governor's Levée, which was formerly enjoyed by all the members of the Provincial Civil Service, should be restored to them. (*ii*) They should also be allowed the distinction of being addressed as 'Khan Bahadur' or 'Rai Bahadur' so long as they hold the office of a Deputy Collector. This distinction was formerly enjoyed by them, but was recently withdrawn. The deprivation of these two privileges has adversely affected the prestige of the Provincial Civil Service, which at one time stood higher than that of any other Service with the sole exception of the Indian Civil Service, and is therefore naturally a source of discontent among the members of the Service. Moreover, the practice recently introduced of subjecting the work of Deputy Collectors to the inspection and criticism of the Superintendent in the Collector's office, who is a ministerial officer, is also very objectionable and is much disliked by the self-respecting members of the Service. It should be discontinued. A better arrangement would be to appoint a Deputy Collector as Personal Assistant to the District officer to do the work which is now done by the Superintendent. Also larger powers of control, appointment and dismissal over subordinates should be given to Deputy Collectors subject to the approval of District officers. Also all Deputy Collectors, from the lowest grade upwards, should be allowed to draw first-class travelling allowance. A Superintendent of Post offices, who begins with only a pay of Rs. 200 a month, draws first-class allowance and has also the power of appointing or dismissing any subordinate whose pay does not exceed Rs. 40 a month, but even a Senior Deputy Collector of the first grade drawing Rs. 800 a month, cannot appoint or dismiss a peon. Unless all these causes of discontent are removed, the Service will not attract the best type of well-bred officers of good family and first-rate ability, without whom no Service can command the respect and confidence of the public.

SYED ALI ASHRAF, called and examined.

12595. (*Chairman.*) You are Personal Assistant to the Commissioner, Presidency Division?—I am Judicial Personal Assistant.

12596. How many years' service have you had?—I have got about 18 years' service.

12597. What are the posts which you have held for the last six years?—Before I came to the present post, I was Subdivisional Officer of Basirhat—24-Parganas—for about three years.

12598. You object to the present method under which Government make direct appointments to the higher grades of the Provincial Service?—Yes.

12599. Do you know to what extent this power has been exercised?—As far as I know, it has not been too much exercised. It has been exercised to an extent to cause some discontent—I should say much discontent.

12600. You know of several instances?—I know.

12601. You are strongly in favour of recruitment for the Provincial Service by open competition?—I have not said that it should be pure competition; but that it should be competitive.

12602. Combined with nomination?—Yes.

12603. What is your reason for retaining the element of nomination?—Because, as I have said, generally, pure nomination will not satisfy the representatives of the highly-educated classes.

12604. You want to ensure the due representation of communities?—Yes, at least those who wish to stand a test, a severe intellectual test, should be given a chance, besides I think it will encourage even backward classes to attain to a higher intellectual standard. Muhammadans, for instance, should not be debarred from it, but they should be encouraged to subject themselves to this higher test. They may not succeed in it, but still, they should have that goal before them.

12605. Do you know many districts in Bengal, where you regard it as important that appointments should be given to men who would not be able to enter by open competition?—I should think so.

12606. In your answer to question (17) you say that officers of the Provincial Civil Service should not be superseded "for such trivial faults as lack of zeal or slackness." Do you seriously suggest that the Government would be justified in continuing to employ such officers as have proved themselves, by their slackness, to be incompetent?—Not incompetent. Slackness is not incompetence. For the first time an officer is slack, he should be warned and he might change for the better. If slackness becomes habitual, it will certainly lead to incapacity. I am referring to an officer who otherwise is admitted to be capable. I know an instance in which an officer has been superseded on the first instance of slackness.

12607. Would you modify your statement by saying that greater care should be taken in dealing with these cases?—Yes. We must discriminate. There might be apparently lack of zeal due to many causes.

12608. You say that the number of listed posts should be increased?—Yes.

12609. To what extent?—Not to any large extent, but to a reasonable extent. I would leave it to Government to decide it.

12610. In your answer to question (24), you say that the rates of pay in the Provincial Civil Service have remained unchanged for the past fifty or sixty years?—Yes.

12611. Is it not a fact that there has been a change in recent years?—So far as our Service is concerned, there has not been much change—any substantial change.

12612. There has been some change?—A slight change in the lower grades beginning with Rs. 150.

12613. Was there not a reorganization in 1892?—There was a temporary improvement, but no substantial improvement in prospects.

12614. A temporary improvement?—Very slight. Some of the lower grades which were affected got some relief.

12615. Then there are grades which have not been changed?—Yes.

12616. What grades are they?—In most grades the rates of pay have not changed. What happens is that the number of posts is increased in some grades to remove a block, and again afterwards there is a congestion and the promotion is delayed. I can give my own instance. It took me fourteen years to get to the Rs. 400 grade, because I entered the service when there was a block, though junior officers got to the Rs. 400 grade in 8 years. What happens is that our prospects are quite uncertain. It took me six years to go to the Rs. 250 grade from Rs. 200; whereas other officers got into that grade in two years.

12617. Would you prefer a time-scale?—I should prefer a time-scale. There is much bitterness of feeling as regards the uncertainty of promotion.

12618. Would you suggest that the time-scale should be applied up to a particular grade, or that there should be one time-scale for all grades?—As far as I know, the general feeling is that it should be applied up to certain grades.

12619. You do not think that that would have an injurious effect on the administration?—I do not think so, because we can apply the test of merit before we promote men to higher grades, and even the increment can be stopped if an officer is not working well. If this is done, a great source of serious discontent in the Service will be removed.

12620. In your answer to question (25), you suggest that officiating grade promotions should be made?—That is, in case the time-scale is not given. In case the grading is improved, or if the present grading is maintained, in case the number of posts in the higher grades is increased, then I ask for these acting appointments; otherwise, this will not be necessary. If we get the time-scale, this suggestion will become unnecessary.

12621. Would you suggest that officiating grade promotions should be made even when no change of duties is involved?—You are referring to the higher grades?

12622 Yes?—Very little change. What happens in our Service is that an officer getting Rs. 800 has less responsible work than a junior getting Rs. 400. There is absolutely no change of responsibility involved in promotions to higher grades. That is one reason why we contend that the test applied to higher grades should not be as rigorous or strict as in the case of the Indian Civil Service.

12623. In your answer to question (32), you suggest that officers should be allowed to accumulate their leave for a period of four years. Do you think that it would be a good thing if officers are not allowed leave for four years?—What happens is that, according to the rules for taking privilege leave, we cannot avail ourselves of the leave due to us after three years. If I have worked for six years and if I have not taken any privilege leave during this period, I would not get all the leave that is due to me, but I would get only three months' leave, and I forfeit the remaining three months' leave. What I say is that I ought to get at least four months' leave; and if we get that, we are prepared to forfeit the remaining two months' leave.

12624. You have to wait for four years before you can take any leave?—Not that. We can get one months' leave for every year; but we do not get it generally. We cannot take more than three months' privilege leave at a time; but we wish that we may be allowed to take more privilege leave. At present we can only take three months' leave after three years.

12625. And you want to take more?—We want that we should be allowed to take privilege leave for four months at a time.

12626. For how long a period have you to serve before you can get it?—Four years. Before four years, we can never get it.

12627. Would you wait for four years?—Not necessarily. We have the option of taking leave for one month after one year's service. At present, even if we have earned our privilege leave for four years or six years, we cannot take more than three months' leave. We want to take at least four months' leave after we have earned that leave.

12628. Would not this proposal of yours necessitate a substantial increase in the number of transfers?—No. If there is a sufficient leave reserve, I do not see how it can affect the administration. It all depends upon the leave reserve.

12629. In your answer to question (41), you say that officers should be allowed to retire on half-pension after ten years' service. Would not this mean a substantial increase in the non-effective charges?—That is a matter for the Government to look into. It so happens that officers have to retire earlier than the due time for some reason or other, and then they do not get any pension. If, for instance, a man who has already put in 19 years' service, wants to start another career, he does not get anything on retirement. Even private firms show consideration in such cases. The other day a Deputy Collector retired and joined the Bar. He had about 19 years' service to his credit, but I do not think that he got any pension at all.

12630. That is rather a different case. You were referring to voluntary retirement after ten years and to the grant of half-pension?—I leave the period to the Government. Some concession might be shown. The period might be increased, if necessary.

12631. (*Lord Ronaldshay.*) With regard to the discontent which you say exists in the Service owing to the appointment of men to higher grades by Government, can you tell me what the rule of the Government is with regard to the making of those appointments, as far as Bengal is concerned?—The rule is given in that Resolution of the Government of India.

12632. It runs like this: "The Government of India or the Local Government may, in very special cases, make direct appointments to offices in higher grades." Observe the words 'in very special cases'?—Yes.

12633. That is the rule. What I want to ask you is whether you can give me any instance of appointments of this kind having been made not in very special circumstances?—I can give, from the point of view of our Service. We do not know what special claims these outsiders might have got. So far as the Service is concerned, the feeling is that officers who have no right to higher appointments, or outsiders who have done nothing to deserve them are appointed to higher grades over our heads. There is no other Service which would tolerate it.

12634. You would like to have that rule altered?—We do not object to their being brought into the lowest grade.

12635. You would like to have that rule blotted out?—Not altogether. Let outsiders be brought into the lowest grade. Then there will be no complaint.

12636. This rule is not intended for dealing with appointments to the lowest grade, but it allows the Government to make appointments to the higher grades. I want to know whether you would like to have that rule abolished?—Yes, I do. That is the feeling of the Service.

12637. With regard to the system of recruitment for the Provincial Service, you say these appointments are now made by nomination and the best selections, even when most impartially made, would be open to the suspicion, however baseless, of some sort of unconscious bias in favour of the selected candidates?—Yes.

12638. You desire none the less that, under your own scheme, half the vacancies which have to be filled should be filled by nomination?—We cannot help it. In India, we must make allowances. Till the backward communities advance to the necessary extent, we must have a compromise.

12639. Then, your reasons for retaining this system, which you think is rather an unsatisfactory one, is that you are afraid that if you had nothing but a competition system, which is in itself desirable, some of the communities would not receive representation in the Service?—Certainly.

12640. Would not receive adequate representation in the Service?—Yes.

12641. For instance, the Muhammadan community might not receive as much representation as it ought to have?—I admit that.

12642. I should like to know what are the real reasons, in your opinion, why it is desirable that you should have a considerable portion of Muhammadans in the service?—Because, of course a community which is represented in the Service knows that its interests are better looked after; because, generally, the Government works through its officers and, however impartial an officer may be, the community feels that an officer belonging to it would look after its interests better. There is no doubt about that. Not only that, but also they feel that the Government service gives them a sort of prestige and importance.

12643. You have given me two reasons. The first reason is that Muhammadans feel that their interests are better looked after if they have a fair share of their people in the Service, and I infer from that that there is a feeling among the Muhammadan community generally that, if they had, for instance, a Hindu put over them, their interests might perhaps suffer?—That will depend upon the kind of the Hindu put in. Sometimes it is possible to find a better Hindu officer than a Muhammadan officer. I should also say that some Hindus might even prefer a Muhammadan officer to a Hindu officer, if he works honestly and impartially. But we have not advanced so much as to say that the bulk of officers are as impartial as they should be.

12644. Generally speaking, do you anticipate that there will be administrative difficulties if a large number of Hindu officers were administering a district which was mainly inhabited by Muhammadans?—That will depend, as I said, on the kind of officer that is sent, and the control which is exercised over that Hindu officer by the higher European official. I think that, if the control is effective, the Hindu officer would not be able to do anything which will cause dissatisfaction to the Muhammadans.

12645. Supposing the controlling officer is a Hindu, would the Muhammadan population be satisfied?—Again, the personal element would come in. It depends upon the Hindu officer that has to control. If he is an impartial officer, whether he be a Hindu, Muhammadan or European, he will give satisfaction.

12646. Now, I see that you base it on personal grounds, rather than on general grounds. You are taking the case of particular Hindus, but I want to know your views on general grounds as to the service being recruited from the Hindus?—On general grounds, I do not object to it.

12647. Then you want to modify your answer when you said that Muhammadans would be afraid that their interests would suffer unless there was an adequate number of Muhammadans in the Service?—I cannot follow that. Why should the Muhammadans be afraid if the officer be of the right stamp? I do not see any reasons for misgivings.

12648. Just one question. I want to ask you about your service. You say that in the Executive branch of the Provincial Service the first two years of it does not count towards pension. Is this the two years' service in the probationary period?—Yes. In the course of the probationary period, those two years are counted in the other services: it is counted in the sister Service, the Judicial service.

12649. In the Executive branch, it does not count for pension?—No, it does not count for pension.

12650. Does it apply to men who are recruited directly to the Provincial Service or does it also apply to men who have been promoted from the subordinate service to the Provincial Service?—I am not quite sure. I know that it applies to those who are appointed direct.

12651. But you are sure that it applies to those who are promoted from the subordinate Service?—I am not quite sure.

12652. In your answer to question (47) you say "that the privilege of being addressed as "Khan Bahadur" or "Rai Bahadur," which was formerly enjoyed by all the members of the Provincial Service, should be restored to them." Can you tell me when that privilege was taken away?—Very recently; about two or three years ago.

12653. Were any reasons given at the time as to why it was taken away?—It was ordered by the Board of Revenue and it was removed by a correction slip without our knowing anything about it. We discovered it afterwards, and one reason was that it was the first time when Deputy Collectors in this province were given the lowest title of Rai Sahib and Khan Sahib, which was also very much resented.

12654. But no reason was assigned?—No; no one knew anything about it.

12655. Then you think "the deprivation of these two privileges has adversely affected the prestige of the Provincial Service which, at one time, stood higher than that of any other Service, with the sole exception of the Indian Civil Service"?—Yes, I should think so.

12656. Then, I understand that you do not agree with Mr. Dadabhoy Naoroji's opinion when he says that he considered the Provincial Service to be a *pariah* service?—No, Lord Hardinge in his first speech said that time was, in his grandfather's days, when the post of a Deputy Collector was supposed to be the highest ideal of Indians, but the present complaint is that the prestige of our Service has been lowered indirectly.

12657. (*Sir Theodore Morison.*) You said, in reply to Lord Ronaldshay, that if a Hindu officer is of the right type, the Muhammadan community and the Muhammadan population would trust him?—I should think so.

12658. They will be quite satisfied?—Yes.

12659. They would not want Muhammadans?—No.

12660. Surely, the proper thing to do is to have an increase in the number of the right kind of persons?—Certainly.

12661. What about the question of representation of communities?—I must modify my statement to some extent. Even supposing that the Hindu officers were capable, if no Muhammadan officer is forthcoming at all, the community will be dissatisfied for other reasons. They will feel that somehow or other, the members of their community are being kept out from posts under the Government.

12662. You say, in answer to question (8) that "the Muhammadan community, having regard to its importance and numerical strength in the province, is not adequately represented at present in the service." What would you consider to be an adequate representation of the Muhammadan community in this province?—I think it should be considered, having regard to its importance and population, and I have also said that this adequate representation of all classes and communities in the Service must be secured without lowering the standard of ability necessary for the efficiency of the Service.

12663. What does this representation mean?—One test is according to the population. The present population of Muhammadans is 50 per cent., whereas the number of Muhammadans at present employed is one-sixth; it is 50 out of 299. The number should be about one-half; but we cannot expect it all at once, there must be gradual advance towards securing it, as Muhammadans advance educationally. If they satisfy the minimum educational qualifications, I think that a greater number should be gradually introduced into the Service.

12664. Then, 50 per cent. is your answer. Do you think that the system of open competition for Government service will act as an encouragement to the backward communities; I think you said something to that effect just now?—It does, and therefore I say it should be kept up.

12665. Has that been the effect upon the Muhammadans in the province in the past?—Of course, it has had that effect. Some men did get in through the combined system of open competition and selection. I came in through that means. That encouraged us to try for examinations.

12666. Did you come in through selection?—Through competition and selection. Those who obtained the highest marks were taken and the Muhammadans that got the highest marks got in, Muhammadans who might not have possibly got in otherwise.

12667. Would you have got in by nomination?—I do not know. Muhammadans are backward. As far as I remember, I got the highest marks among the Muhammadan candidates at that time, only in the aggregate, though I was not within the first four.

12668. You say it does act as an encouragement?—Yes; at that time we felt that we had done something.

12669. The encouragement given to the Muhammadan community was due, I understand, to selection and not competition?—Certainly, nomination.

12670. You say that they should go lower down the list?—That was the arrangement. The marks were published and we were able to see how each man did in the aggregate. One man might get three or four marks less in the aggregate than another, but in some subjects he might have got higher marks.

12671. (*Mr. Gokhale.*) In your reply to question (6), you pass certain strictures on the present system of pure nomination. Will you kindly explain what that system is?—I have not quite condemned it wholesale.

12672. I said you passed certain "strictures"?—Whatever it is, it is there. The present system is that the Collector, the local officers.........

12673. Let us proceed step by step. First of all how many appointments are there in a year?—Twelve.

12674. With regard to them, who nominates candidates and how many do they nominate?—Four Commissioners nominate four; and two are nominated by the Syndicate. In fact, my remarks apply also equally to the Syndicate. As regards nomination, three are appointed directly by the Government and three are promoted from the subordinate Executive Service.

12675. Three are promoted by Government without reference to Commissioners or the Syndicate?—Yes.

12676. So three out of twelve are either nominated or promoted from the lower ranks?—Yes, at present.

12677. Out of the remaining nine, two are appointed on the nomination of the University?—Yes.

12678. I suppose the Syndicate generally selects the best men available?—Yes, but that does not give satisfaction. There are some of the best M. As. who do not get the appointment.

12679. I want to know what your complaint is about the men who are recommended by the University?—Nothing else but this: that out of the six best men, two might be selected and the other four best men still feel dissatisfied that the other two have been selected and they think that some of the members favoured them, whereas the open competition will disarm this sort of suspicion or feeling.

12680. I am trying to get at your idea. The Commissioners, you say, recommend four?—Yes, and each Collector nominates.

12681. From his district?—Yes.

12682. How many districts have you?—In my Division we have five districts.

12683. There will be ten men nominated by the Collectors?—Yes.

12684. Out of these ten candidates, the Commissioner will select one man?—Not that way, the Collectors and the Commissioner will hold a conference and personally meet the candidates.

12685. And then they select one man?—Two men are nominated and one is appointed.

12686 By the Government?—Yes.

12687. So that each Commissioner nominates two?—Yes.

12688. Out of the two, one is to be selected by the Government: you just now said that four were nominated by Commissioners?—It is from the four Divisions; one from each Division.

12689. Then the Government ultimately appoints four: it is not the Commissioners that nominate four?—Each Commissioner nominates and the Government appoints him.

12690. According to what you are telling us, four Commissioners would nominate, two each, that is eight and not four?—But ultimately, the appointment is made by the Government.

12691. They recommend eight?—Yes.

12692. Each Commissioner recommends two?—Yes.

12693. Three are appointed by the Government: at whose instance?—They are directly appointed.

12694. At whose instance, you do not know?—We do not know anything about it.

12695. You propose that one-third or half of this should be thrown open to competition?—Yes.

12696. You say that by preference you would take away the two from the University: you say the two places which are filled on the recommendation of the University should be thrown open to competition?—Yes.

12697. Surely there is a greater amount of mere nomination in the case of those who are recommended by the Commissioners, than in the case of those who are recommended by the University?—My idea is that the persons whom the University nominates are the representatives of the highly educated classes.

12698. That would free only two appointments?—I have not limited it to two; I have suggested half or more.

12699. You are not particular about the University men alone being treated that way?—No: I would leave it to the discretion of the Government.

12700. (*Mr. Sly.*) You object to this probationary period of two years, and that is because it is not enforced in the Judicial Service?—That is my objection.

12701. Is it not reasonable that a man who is appointed to the Judicial Service, and who has passed the Law Examination and is acquainted with law and is in a position to start his work in court, should have no probation?—I do not object to the probation period; but what I say is that the probationary period should count towards service. The probationary period counts towards pension not only in the Judicial, but in the other branches of the service.

12702. But in regard to other services we recruit men who are competent to take up the work at once?—Not quite necessarily; in the police they have a probationary period, but that is counted for pension. The system is the same there; they are not quite fitted to take up the work at once.

12703. In answer to question (47), you refer to the withdrawal of the privilege of presentation at the Governor's levée. Do you know why that was withdrawn?—I do not know that; but I believe that one reason was the money test.

12704. Was it not the case that the test of income was laid down in regard to the other services, and also in regard to non-officials, simply for the purpose of reducing the presentations at the levée which had become so large as to be impracticable?—May have been that; but whatever it may be the effect is there.

12705. It does not mean that any special slur is cast upon them?—But it is felt none the less. In this country, much importance is attached to these little things; and even this money test will not satisfy the people in this country. Here, more respect is shown to a poor person, if he comes from a good stock, than the richest millionaire.

12706. Your other desire is that the members of the Provincial Service, the Deputy Collectors, should have the honorary title of Rai Bahadur and Khan Bahadur. Have you ever heard that the title of Rai Bahadur is, in common parlance among Indians, used as an English equivalent of "fool"?—I do not know this; but the title has been so much lowered recently by being bestowed on unworthy persons, that it may be so. Time was when it was very much respected.

12707. Would you like to see it restored to the Provincial Service?—Yes, for the sake of the service. Personally, I am not at all fond of titles. I never sought any.

12708. Another thing you object to is the inspection of the work of the Deputy Collectors by the Superintendent of the Collectors' office?—Yes.

12709. Is it not also the case that the Sherishtadar of the Commissioner's office inspects the office of the Collector?—Formerly the Commissioner used to take his Sherishtadar for inspection work, but that has been stopped.

12710. You want to have the thing stopped in the same way in regard to inspection by Superintendents of Collectors' offices?—Yes: this is very much resented.

12711. It is only the inspection of the routine work of the office?—The ministerial officer arrogates to himself the powers which he does not possess and becomes obnoxious to the gazetted officers.

12712. So, you want it stopped?—Yes, I have suggested a remedy. I believe there is an arrangement like that in Madras, that is, to appoint a Deputy Collector as Personal Assistant to the District Collector; he being a gazetted officer, no one would object to his inspections, just as Commissioners have personal assistants, who are Deputy Collectors, and who record resolutions, to which no one objects.

12713. (*Mr. Madge.*) You have stated what the difficulty is; but you have shown us no way of escape from it. You think you approve of nomination, but you object to some nominations over the heads of others, and you have said that this difficulty occurs in no other service. I should like to point out to you that it does occur in other services. If you want instances, I can give you one which happened during the last few weeks?—If it does exist there, it is objectionable none the less.

12714. What is your escape from the difficulty? Suppose you approve of nominations and suppose Government comes across a good man in the service, or a good man whose appointment has been abolished, and for whom it is bound to provide elsewhere, your only recommendation is that he should begin at the bottom of the service?—Yes.

12715. Unless rules will admit of that being met by personal allowance, how else would you get him a place?—Let the Government give him a personal allowance; we do not object to it. But he should not be placed above other officers, thus blocking their promotion. The Government might give him even a pension; we do not object to it.

12716. You think that the grant of a personal allowance would be one way to correct this difficulty; we are trying to find out the practical difficulties?—We do not object to that.

12717. If you will allow me to finish the question, you will be able to follow us, and we can follow you. You think that is a practical way of escaping from the difficulty?—I do not think I would like that arrangement; but if no better arrangement is possible, that might be done.

12718. At least, it will be better than putting these officers over the heads of senior men. Have you any better practical suggestion to make?—No the only suggestion that I had, I have already put there.

12719. Are you aware of any cases in your service in which a man has been recommended for promotion to the listed service, strongly recommended more than once, but owing to a change in his superior officer, somebody else had been recommended in his place: are you aware or are you not aware of such cases?—Will you please tell me once more what your question is?

12720. I put it with reference to what you have said: are you aware or not of cases in your department in which a man had been recommended for promotion to the listed service, recommended more than once, but owing to a change of his superior officer, somebody else was recommended in his place?—I do not know of such instances.

12721. You said something about privilege leave: I do not think your point was made clear. Privilege leave is granted for one month in a year, but you can get cumulative leave only for three months, and your point is that even though you have earned six months' leave after six years' service, you cannot get four months' leave even if you are willing to forfeit two months' leave?—Yes; at present we forfeit three months and get only three months' leave.

12722. Your point is that you are willing to forfeit two months' leave in order to get four months' leave continuously?—Yes.

12723. (*Mr. Abdur Rahim*). You have been saying, in the course of your evidence, that the Provincial Service has certain grievances. I want to know whether, in writing out your answers, you consulted the other members of the Service?—Many of them: we held a conference.

12724. Did you consult Mr. Krishna Kali Mukharji?—He was also there; we consulted him; we received written representations from the different members of the service.

12725. I should like to get information from you about the status of Muhammadans in the service at the present day and their educational status. Have you noticed much improvement in their educational status in the last ten years?—I think there has been a decided advance.

12726. Have there been more graduates than there used to be?—Certainly.

12727. Taking the last five years, has the number of graduates increased?—I have not studied the statistics; but my general impression is that there has been a distinct advance in the number of graduates during the last five and twenty years.

12728. Is that increase mostly noticeable in Eastern Bengal or in Western Bengal also?—In both the Bengals. It is particularly so in Eastern Bengal. I am not quite certain about the matter, as I have not studied the figures.

12729. I suppose you know that fifteen or twenty years ago the Muhammadans were still more meagrely represented in the service than now?—I am not quite certain of that, because I have not compared the figures.

12730. Has not there been any improvement in their status in the service within the last five years?—I should think so; as far as I know more Muhammadans are in the service.

12731. Within five years, there have been many more?—Yes, certainly.

12732. In Eastern Bengal more Muhammadans have been appointed, and I take it that their advance in education has been comparatively more rapid, since they have been given more places in the Government service?—Indirectly, I think it must have that effect; I should think so. It generally gives them an impetus. Moreover, a Muhammadan officer is likely to take more interest in Muhammadan education.

12733. You mean he helps to advance Muhammadan education?—Yes; without suggesting any comparison, it is only natural.

12734. It would not be partiality to encourage education?—No, not to the exclusion of Hindus.

12735. I did not mean that; I did not suggest anything of the kind. Kindly listen to what I say and you will follow me better. You say that some Muhammadans got in by competition?—I do not think they got in by competition; but by a combined system.

12736. No one got in by competition?—Not a single man in the open competition, in the first four.

12737. Those who competed did not get in by competition?—I have never suggested that.

12738. I understand that the resolution of the Bengal Government to which you refer in your answer to question (6) provides for an examination, and in that examination the Government takes the first few according to the number of marks gained by them, and as regards the others, if it is found that they attained a certain standard of efficiency in the examination then the Government makes selections from among them. So, they get in by selection though they have passed a certain examination?—Yes.

12739. Is that resolution still in force, or has it been done away with?—That has been replaced by the present system.

12740. Can you tell me what is the merit of such a system of selection, as distinguished from a system of selection from among the graduates of the University?—There is some test.

12741. Yes, they should be graduates of the University?—I do not quite follow.

12742. You say there was a selection, partly by a competitive test and partly by pure mомination?—Yes.

12743. If you were to select from the graduates of the University it would be selection?—Yes, it would be.

12744. Except a few places which are allotted on the results of the examination, pure and simple, the rest are appointed by selection?—That system can be slightly modified. What we want and insist upon is that the Muhammadans, who get the highest marks, should be selected; but the old system gives the Government the fullest discretion

12745. You want that, so far as Muhammadans are concerned, that is, among those who are appointed from that community—you want a competitive examination?—It comes to that; the feeling is that they should be given at least the chance of competing with the others for the first four places.

12746. What I understand is that you want open competition for certain places—two places?—Two or any number.

12747. About the rest, you want competition among Muhammadans for certain places, and you will have still some other places left open to be filled by selection, pure and simple?—Not quite that. I have suggested two alternatives; one is to maintain the present system of nomination to some extent, and to throw open half or one-third of the number of posts to pure competition; that is one thing. Another thing is that we revert to the old system with a slight modification. Under the old system, selection was left to the discretion of authorities pure and simple; but I want that to be limited to the number of marks obtained.

12748. One reason why the Bengal Muhammadans are wanting in education is the poverty of the Muhammadan population?—Yes: as far as I know, they are rather poor.

12749. That is one of the chief causes that they have not been able to avail themselves of the educational facilities so much as the other communities?—Yes.

12750. I think it is in your experience that many of those Muhammadans who educate their children in English schools and colleges are men who are in Government service?—Yes, the Government service or.........

12751. Or in the professions,—those are the two classes?—Yes.

12752. If any scheme be devised by which Muhammadans are excluded altogether from the Government service, the result will be a great deterioration in their education?—Certainly, of course, if they are altogether excluded.

12753. Suppose there is open competition, pure and simple, for the Provincial Service, past experience has shown that Muhammadans will be totally excluded without any exception?—Yes.

12754. Don't you think that it will have a most injurious effect upon their development?—I would certainly object to that sort of pure competition.

12755. Even as regards the Indian Civil Service, do you think that the Muhammadans of Bengal will get in by competition?—Not the Indian Civil Service; I do not think they can quite yet. Some of them might get into the Indian Civil Service as they now do in England; some of them might, but not many of them.

12756. I want to know something about the confidential reports of superior officers to which you refer in answer to question (17): you say there is no communication made of the opinions of the superior officers; they are not communicated to the officers concerned?—Only when bad remarks are made they are communicated, but what we want is that they should be communicated whether they be good or bad. We should know what remarks are made, that is the feeling in the service. At present, only if the remarks are bad, they are communicated to us.

12757. I suppose they are communicated in order to serve as a sort of warning for the future?—To some extent; but it is not intended as such.

12758. You do not know to what extent the Government, in making promotions, is influenced by these observations, do you?—The Government is influenced to a great extent; our promotions are affected by these remarks.

12759. I think you mentioned that those remarks are often very divergent?—I should think so.

12760. (*Mr. Mukherji.*) Would you like that good remarks also should be communicated to officers concerned?—That is the feeling.

12761. The reason being?—We may know where we are; if we are superseded we might know why.

12762. Just one word more with reference to your answer to question (24). While explaining it to the Chairman, you said that what you meant to say was that after 1909 lower grades were added to, but the higher grades were left as they were before, so that matters have become worse for those who had entered the service since?—Yes, promotions became blocked.

12763. (*Mr. Sen.*) You seem to be dissatisfied with the present leave rules?—Not wholly. As regards furlough, I have suggested some modifications and also in regard to privilege leave.

12764. Do not you think that the rule should also be rescinded, viz., the rule which says that a man cannot take privilege leave after he joins within six months?—If some such concession is made, it would be welcomed.

12765. Do not you think that, when he has privilege leave to his credit, he should not, either if he suddenly falls ill or has very urgent business to attend to, be able to take it till after six months of his joining: don't you think that is hard?—That is a hardship.

(The witness withdrew.)

KRISHNA KALI MUKHERJI, ESQ., Personal Assistant to the Commissioner of the Presidency Division.

Written answers relating to the Provincial Civil Service.

12766. (1) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Generally speaking, the conditions laid down in the Government of India Resolution are suitable. Many officers of the Provincial Service consider Rule VIII to be open to objection, as likely to operate with hardship on the members of the service generally. If of younger age than other officers of the grade to which they are appointed, the new officers are likely to cause a block in the promotion. The rule itself says that this power will be exercised by the Government of India in very special cases. I am not aware how many such appointment have been made by the Government of India. I would suggest that a proviso be added to the rule to the effect that the Government of India will not exercise this power except in the interests of the Administration, and that the restriction as to the necessity of having a thorough knowledge of the vernacular be applicable not only to the Judicial branch as laid down in the rule but to the Executive branch also. Rule VI is also objected to by many officers who consider that the Provincial Service should be officered only by the Statutory Natives. Opinion on this point is, however, divided. As regards Rule VII, the general feeling is that promotions should be given ordinarily up to the grade of Rs. 500 according to seniority. In the Judicial branch the question of selection comes when a Munsif has to be promoted to the appointment of a Sub-Judge, and as the pay of the first grade Munsif is Rs. 500 at present, I presume the rule will be altered on the judicial side.

12767. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Under the existing rules, three appointments are given by promotion from the subordinate service. The general opinion amongst the members of the Provincial Service is that this number should be raised. Possibly, this will be practicable when the question of the normal rate of recruitment has been finally decided. In fixing the number of appointments by promotion it has to be taken into consideration that the officers, when entering the service, will be above the age of the ordinary recruits and, in the ordinary course, will therefore retire sooner. As regards direct recruitments the general opinion is that, barring the appointments retained by the Governor in Council, the appointments should be thrown open to competition. The matter will be further referred to in answer to question (6)

12768. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The general opinion amongst the officers of the Provincial Civil Service is that the present system of selection by nomination is not suitable, and that it should be replaced by competitive examination, subject to certain limitations with a view to secure the adequate representation of the different communities. There is a difference of opinion as regards the details. Many are of opinion that half the number should be given to those who obtain the highest number of marks. The remaining half should also be chosen from amongst the examinees, but regard should be had to the claims of communities not represented by the first half. Subject to this reservation, the selections amongst these should, however, be made according to the number of marks obtained at the competitive examination. This scheme is practically based on the principles accepted in the Appointment Department resolution of the 24th April 1889. There is this difference: the proportion fixed in that resolution for appointments according to the number of marks obtained in the examination and according to other claims, is two-thirds and one-third. According to the resolution, the only restriction on the discretion of Government in making selections, is that the candidate must have obtained one-third the total number of marks at the examination. Here the proposal is that no discretion should be left in the matter, but amongst the candidates selected according to the claims of particular communities, etc., the final selection should be made according to the number of marks obtained. In my humble opinion, the existing system of recruitment is not satisfactory and should be altered for the following reasons :—(*i*) As a rule, so many qualified candidates come forward that it is very difficult to discriminate between the conflicting claims. Selections, however carefully they may be made, give rise to dissatisfaction. (*ii*) The nominations by the Syndicate of the University are intended for graduates of academical distinction. These are supposed to correspond to the officers formerly selected by the competitive test. The University nominations have no doubt given some very good officers to the service. I would point out, however, that when the Dacca University is established there will be practical difficulties in securing nominations by this method. The number of vacancies is so small that it will be difficult to divide them between the two Universities, having regard to the fact that only the colleges at Dacca will be attached to the Dacca University. I do not see any solution of the difficulty except by competitive examination, if the classes now secured by the University nominations are to be reached. It may be required that only candidates approved by the District officers and Commissioners should be allowed to compete. Owing to the separation of Bihar and Orissa, the communities whose claims Government will have to safeguard specially are the Muhammadans and Christians (including Anglo-Indians). The sons of loyal and faithful Government servants and loyal families having a special claim on Government, will require consideration. This object can be secured by reserving half the appointments in the manner indicated above. Any inequalities that may still exist can be redressed by the appointments retained by the Governor in Council.

12769. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Ordinarily, only residents of the province should be recruited, but the rule need not be a hard and fast one.

12770. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All communities are not duly represented at present. I consider it to be desirable that all communities should be duly represented. Education is now more widespread than formerly in the Muhammadan community.

If the arrangements recommended in question (6) are adopted, they are likely to secure the due representation of the different communities in the service.

12771. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The rules for training for junior officers and probationers are contained in Appendix IX to the Appointment Department notification No. 3388, dated the 14th September 1912. They are suitable so far as they go. But along with the training there should be a system of examinations to be held periodically by the District officer or a Deputy Collector, with a view to test the progress made by the probationers. Such examinations should ordinarily be *vivâ voce*, but the result should be reported to Government and should be taken into consideration at the time of confirmation.

12772. (10) Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—Yes. The only change I would recommend is that for the Provincial Service précis-writing and letter-drafting may be made a subject for departmental examination.

12773. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—The question of revising the rate of recruitment is under the consideration of Government—*vide* Government notification No. 3071 A.—D., dated the 20th August 1912.* It is to be feared that there has been over-recruitment in the past, as latterly probationers have not been provided with appointments within a reasonable limit of time. Some have had to wait for more than two years.

12774. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The general impression is that the system of selection to the higher grades is enforced more rigorously than necessary in the interests of the Administration. At any rate, similar complaints are not made in the Judicial branch, where also the promotion from Munsifs to Sub-Judges is made by selection and not by seniority. I am not aware what the difference in the procedure is in the two branches. The selections must necessarily be made on the report of District officers and Commissioners, but there is a general feeling that copies of such reports, whether favourable or unfavourable, should invariably be communicated to the officers concerned. At present only unfavourable remarks are communicated. When a Joint-Magistrate is promoted to be a District officer, his responsibilities are considerably increased. That is not the case when a Deputy Magistrate on Rs. 400 is promoted to the grade of Rs. 500. He has to do precisely the same kind of work as he was doing when drawing Rs. 400. As an incentive to good work and for the purpose of discouraging bad work, it is right that a limit should be laid down, beyond which promotion can be obtained not according to seniority but by merit. But the circumstance I have stated above, is an argument in support of the contention that the test should be less rigorous than in the case of superior posts in the Indian Civil Service.

12775. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The general impression is that the test applied in making promotions is often too rigorous. I believe that the previous records for a certain number of years are considered at the time of promotion. I cannot suggest any other system, but it has to be borne in mind that the opinions recorded about the same officer are often very divergent. For the reasons given in answer to question (16) the test applied might, in the interests of both individual officers and of the Administration, be less strict than at present. I do not think that the same reasons for compulsorily retiring inefficient officers exist in the case of Provincial Service as in the case of the Indian Civil Service. The work done by the members of the Provincial Civil Service is of great variety, involving various degrees of responsibility. It can only rarely happen when work suited to the capacity of an officer cannot be found, unless he is flagrantly inefficient. The principle of compulsorily retiring an officer for inefficiency, if adopted, is likely to produce a feeling of insecurity in the service.

12776. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service, of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The number of superior posts listed is at present 8 out of 90. The general opinion is that this number may be increased, and that 6 districts may be given to the Executive branch. Opinion amongst the members of the Provincial Civil Service is divided as to the manner in which the listed posts should be filled up. Some are of opinion that the posts should be filled up from among senior men, while others think that younger men should be selected. In the latter case there is a risk of causing dissatisfaction amongst the senior men; on the other hand, there is a risk of failure if the senior men are selected. In the interests of Administration the selection should be made as a rule from among comparatively junior officers.

12777. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—The system of merging the inferior listed posts has resulted in no benefit to the Provincial Civil Service.

12778. (21) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I have no objection to the designation "the Provincial Civil Service."

12779. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes, but another determining factor is that the salary should be such as to enable the officer to maintain his position in society, consistently with the prestige of the office held by him.

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* *Vide* page 322.

12780. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The last general reorganization was effected in 1906. I understand that the grading was adjusted on an actuarial basis. Whether this was so or not, the reorganisation did not, so far as I can see, better the prospects of the members generally, at any rate to any marked extent. It no doubt brought much-needed relief to a large number of officers who had been previously hard-worked. The reorganization was, however, followed by a large number of special promotions, which no doubt benefited the officers promoted, but the position of others was made distinctly worse by the promotion of younger men over their heads.

12781. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alteration do you recommend?—Owing to the enormous increase in the cost of living of late, it will be more and more difficult to secure really qualified men on the existing rates of pay, which should therefore be raised. The general opinion of the members of the service is that the rate of pay should be as follows:—

Probationers ...	... Rs. 150
Last grade ...	... Rs. 250 as at present.

Two grades of Rs. 900 and Rs. 1,000 should be added. They think there should be more men in the top grades (the number in the grade 600 and above being one-third of the total number). There has undoubtedly been a block in the promotion. There are men still in the fifth grade who have put in 18 or 19 years' service, and men with 27 years' service have not yet reached the second grade. The cadre should be so adjusted that, in the ordinary course, the first grade may be reached in 25 years. If the present grading is based on actuarial calculations, there must have occurred disturbing factors which have interfered with the flow of promotion.

12782. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The general opinion is that officiating promotions should be made in the Provincial Service. In the case of the Indian Civil Service the system of officiating promotions might have been introduced for a special reason, but that is not a sufficient ground for not introducing it in the Provincial Service. Officiating promotions will not be necessary in case time-scale of salary is allowed.

12783. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—In my opinion, a time-scale of salary will be much more advantageous than the existing graded system of promotion, and this is also the opinion of many other members of the service. In the opinion of the majority, there should be time-scale up to Rs. 500, to be reached in 12 years, and this should also be the limit of promotions according to seniority.

12784. (28) What is your experience of the practical working of time-scales of pay in other Indian services?—I have no experience of the practical working of time-scales of pay in other services.

12785. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—The following time-scale may be introduced:—

	Rs.
First year of service	250
Second " "	250
Third " "	250
Fourth " "	300
Fifth " "	300
Sixth " "	350
Seventh " "	350
Eighth " "	400
Ninth " "	400
Tenth " "	450
Eleventh " "	450
Twelfth " "	500

The first increment should not be granted until the departmental examinations are passed, and all increments should be given for approved service only. If the time-scale is limited to Rs. 500, I do not see why it cannot be adopted in the case of the Judicial branch also; the pay of first-grade Munsifs is now Rs. 500.

12786. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Many officers of the Provincial Civil Service are of opinion that officers of that service holding listed posts should be paid approximately at the rate of four-fifths of the pay drawn in the same posts by members of the Indian Civil Service.

12787. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—My impression is that officers now take more privilege leave and furlough than formerly. Formerly, there was no leave reserve and application for privilege leave, unless required on medical grounds, used to be often refused.

12788. (32) Is all the leave on full pay due to them ordinarily taken by officers of the

Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned, in your opinion, suitable? If not, what alternative arrangement do you suggest?—No. The reason often is that when a man is posted at a good station he does not like to go on leave, as he is generally transferred on the expiry of his leave. The amount which can be earned is, in my opinion, suitable.

12789. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules. If not, what change do you suggest?—All the furlough due to them is not ordinarily taken by officers of the Provincial Civil Service. Furlough is usually taken by officers when in bad health, and it would be a great convenience if it is allowed to be taken at shorter intervals, *e.g.*, 6 months at the end of 5 years' service, 1 year at the end of 10 years' service, 18 months at the end of 15 years, etc.

12790. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The present rate of furlough allowance is suitable.

12791. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—(*i*) I would suggest that privilege leave may be allowed to be combined with furlough or medical leave without any restriction as to the minimum period. Under existing rules, the combined period must not be less than six months (Article 233, Civil Service Regulations). (*ii*) Leave on medical certificate is not admissible after 55 years of age (Article 345, Civil Service Regulations). This restriction may be removed.

12792. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes.

12793. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—If inefficient officers are retired before their time, pension should be granted to them on a reduced scale, the allowance not exceeding two-thirds of the pension that would have been admissible if the officer had retired on medical certificate. This is the scale laid down in Article 353, clause 2, Civil Service Regulations, but there should be no restriction as to the pay (as in clause 1).

12794. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—An additional pension of Rs. 1,000 may be granted to these officers, as in the case of the appointments enumerated in Article 475, Civil Service Regulations.

12795. (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The period of voluntary retirement should be reduced to 25 years. Compulsory retirement should ordinarily be enforced at 55, but some senior officers think that this rule should be only gradually introduced.

12796. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—In many places the number of officers is still inadequate, and many officers think that the existing strength should be raised by one-sixth. It is also the general opinion that the whole of the Service should be treated as first-class officers irrespective of pay, as regards travelling allowance and other privileges. At present only officers drawing Rs. 600 and above are so treated.

MR. KRISHNA KALI MUKHERJI called and examined.

12797. (*Chairman.*) You occupy the position of Personal Assistant to the Commissioner, Presidency Division?—Yes.

12798. How many years' service have you?—Twenty-seven years' service.

12799. What is your caste?—Brahman.

12800. I gather from the answers you give to the questions that you are giving not only your personal opinions, but the opinions which you deem to be prevalent among the officers of the Provincial Service?—I have ascertained the opinions of others, and I have given also my own opinions. Where I do not agree with the opinions of others, I have given my own opinions also.

12801. To what extent do you represent the opinions of others?—A meeting of the officers in Calcutta and the suburbs was called and there was a discussion about the matter; and then there was a reunion of the members of the Provincial Service during the Christmas and there was a discussion, and I ascertained their opinions also. There were about fifty officers present there. I also wrote to several officers in the districts, and asked them to ascertain the opinions of the brother officers there. I got their opinions also, so that these answers represent the opinions of the majority of the officers whom I consulted.

12802. Are you satisfied with the present system of nomination to appointments in the service?—I am not.

12803. You desire to see a system of competition introduced?—Yes, a modified system of competition.

12804. To what extent will you still retain the system of nomination?—There should be some appointments reserved for the patronage of Government; but all the others should be thrown open to competition. Of those thrown open to competition half the number of appointments should be given to candidates who obtain the highest number of marks, and the other half should be given to those selected from those who come below them, so that all the communities may be represented.

12805. Do you mean that half the number should be thrown open to competition, and that the remaining half should be divided among the communities?—What I meant to say was that there should also be a few reserved for nomination, and a few should be given by promotion from the subordinate service.

12806. You will have three different sources: a certain number nominated by Government, a certain number promoted from the subordinate service and a certain number recruited through competition?—Yes.

12807. You do not advocate retiring officers for inefficiency?—I do not advocate it.

12808. What is your reason for it?—It will produce a feeling of insecurity in the service. Officers will not be secure in their service. There can be cases in which it may be so carried out as to lead to injustice.

12809. That is merely a question of the capacity of those who are to judge. It would not introduce any sense of insecurity among the officers if the cases were dealt with by an impartial officer on their merits?—If there is such an impartial authority, it would be all right, but it will depend upon how the thing is carried out in practice.

12810. Do you admit that, if a system of this character is not introduced, you cannot hope for efficient administration?—In cases of flagrant incapacity, they can be retired even now, for any fault committed by them.

12811. That is for misconduct?—Yes.

12812. You quote the opinion of those with whom you had a conference as being in favour of increasing the number of listed appointments?—Yes.

12813. Can you say to what extent you would like to see them increased?—I have said that six districts should be given, but I have not formed any opinion, and those whom I consulted have not any definite opinion on the matter.

12814. You say that it will become more and more difficult to secure really qualified men on the rates of salary now given to the Provincial Service. Do you mean by that that even now, in your experience, qualified men are not forthcoming?—I cannot exactly say that; but it will come to that. That is what I apprehend.

12815. You anticipate that this may take place in the future if the rates of salary are not raised?—Yes.

12816. In your answer to question (15) you say that it is to be feared that there has been over-recruitment in the past, and later on, in answer to question (47), you say that many officers think that the existing strength should be increased by one-sixth. How do you reconcile these two statements?—What I meant to say was that there was over recruitment in the past; but the work is increasing, and for that reason many officers think that there should be greater recruitment.

12817. So that, to that extent, you would modify the statement that there are too many officers in the service?—There were too many in the past.

12818. You think that more officers are required to carry out the duties of the service?—Yes.

12819. In what branch of the service is the recruitment, in your judgment, at present, deficient?—In the Executive branch.

12820. What posts do you consider should be increased in number?—Deputy Collectors and Deputy Magistrates both.

12821. (*Sir Murray Hammick.*) What do you mean by your statement that there is over-recruitment for the existing cadre of appointments? Do you mean that too many have been taken into the service and they do not get promotion quick enough?—There has been recruitment more than there should have been according to vacancies.

12822. That is they had too many appointments for the cadre. They took in too many men to fill the existing appointments, which makes promotion difficult?—Yes.

12823. That is what you mean? You do not mean that there are too few appointments. You say that the recruitment is too great to fill the existing appointments on account of which you find a block?—Yes.

12824. How did you get into the service? Were you nominated from the subordinate service?—Through competition.

12825. You have been in the service for 27 years. Was there competition 27 years ago by which you got into the service?—Yes.

12826. Several witnesses whom we have had, have suggested that if you have simultaneous examinations, the number of listed posts should be reduced and not increased; but you suggest an increase in the number of listed posts. What do you think would be the effect on the Provincial Service which would be brought about by reducing the number of listed posts?—If there are simultaneous examinations, there should be no listed posts.

12827. Do you not think that it would have a bad effect on the recruitment of the Provincial Service?—I do not think so; because the best men will try for the simultaneous examination, and you will get an inferior set of men into the Provincial Civil Service.

12828. That would be so?—Yes.

12829. Would you like to see the time-scale salary introduced?—Yes.

12830. Do you mean to say that it should go from the bottom to the top?—No, from the bottom up to Rs. 500.

12831. You do not think that it will have any effect on the efficiency of the service?—No. I think it will increase the efficiency of the service, because at present the promotions are blocked.

12832. Do you think that it will produce contentment and efficiency?—Yes.

12833. I should like to ask you this last question. In your reply to question (47), you say that the whole service should be treated as first-class officers, irrespective of pay?—Yes.

12834. You think that is a really serious grievance of the service?—I think so.

12835. It is felt as a grievance?—Yes.

12836. That is to say, a Deputy Collector who draws Rs. 500 ought not to go by the second class when he travels; is that the case? That is felt as a real grievance?—Yes.

12837. (*Mr. Madge.*) In your experience as Personal Assistant to the Commissioner, as well as in your experience as a Deputy Magistrate and Collector, you have seen officers of the Provincial Service in other branches than your own?—Yes.

12838. Are you satisfied with the present designation "Provincial Civil Service"?—Yes.

12839. Do you think that the officers in your particular department are satisfied with it generally?—I think so, generally.

12840. Can you say that of the officers of the other departments which were formerly called "Uncovenanted" but now called "Provincial"?—In the Public Works Department, I think, they were not satisfied with the division between the "Provincial" and the "Imperial."

12841. In any other department?—I am not aware of any other department.

12842. Would you be surprised to hear that there is considerable dissatisfaction in the service formerly called "Uncovenanted" and now called the "Provincial" on the ground that it seems to have created a bar to promotions?—I cannot say of other services, but in our service, the designation "Provincial" has not changed the feelings of the members in any way.

12843. You want the number of listed posts to be increased with the object of facilitating promotions from the Provincial Service into the higher grades?—Yes, that is so.

12844. That is one of the principal objects you say?—Yes.

12845. (*Mr. Macdonald.*) You say that, if the listed posts were taken away from the Provincial Civil Service, in consequence of the simultaneous examinations, an inferior body of men would come into the Provincial Service?—Not exactly that. The best men would go in for the simultaneous examinations, and those who are inferior to them will go in for the Provincial Service. Now, the best men also go in for the Provincial Service.

12846. You mean that the system of simultaneous examination would allow good men, who now go to the Provincial Service, to go into the Indian Civil Service?—Yes.

12847. (*Lord Ronaldshay.*) I have just two questions to ask you. The first is in regard to your answer to question (23). You say that the reorganization of 1906 prejudicially affected the position of certain officers in the service. Can you explain how this result came about?—I would modify one statement that I made there in reply to this question. I have said there "I understand that the grading was adjusted on an actuarial basis." I have now ascertained that this is not the fact. Then with respect to the other thing which I have said there, there was an increase in the cadre in that year, and many special promotions were given and many men were superseded and that led to discontent in the service.

12848. The other question I want to ask you is with regard to your answer to question (40). You say that the present system of superannuation pensions is satisfactory in the interests both of the Government and the members of the Provincial Civil Service. We have had witnesses who suggest that it is not satisfactory. One of the objections raised by the last witness to the present system was that the first two years of the service do not count for pension? Is not that so?—Yes, that is so.

12849. You are quite satisfied that the system should remain as it is, as regards the first two years?—By that question I understood that the rule by which at present a man is superannuated at 55 was referred to and what I meant to say was that it was satisfactory.

12850. Would you like that the first two years of the service should count towards pension? Would you like the present system to be modified to that extent?—Yes.

12851. (*Mr. Bompas.*)—In answer to question (16), you say, like the last witness, that the remarks of District Officers and Commissioners made in their confidential reports should be communicated to the officers concerned?—Yes.

12852. Suppose that an officer does exceptionally good service, I suppose that is noticed every year in the published reports?—Yes.

12853. If unfavourable remarks are made they are communicated to the officers concerned?—Yes.

12854. But as regards the intermediate class of officers about whom the Government must know and receive reports, would it be of any good to communicate to the officers concerned the remarks made about them. Suppose a Collector says that a particular officer is honest and does good work, but is rather lacking in brains and stupid. Is it any good to tell the officer every year that he is stupid, seeing that he cannot remedy that?—When an officer is superseded he ought to know why he is superseded and ought to have an opportunity of representing his case, if he wishes to do so. The reason for his supersession may be communicated to him.

12855. Is there any good in communicating to him year after year the sort of remarks that I have referred to about him?—I know a case in which a superseded officer who wanted to know the reason for his supersession was merely told that his work was not satisfactory in every respect, but if he knew all the remarks made about him, he would have had a definite basis to make a representation.

12856. (*Mr. Mukherji.*) With regard to answer to question (24), do you know the number of men in the first three grades out of the total cadre of 299?—At present, there are 5 in the first grade, 7 in the second grade, and 16 in the third.

12857. That makes 28?—Yes.

12858. Will you tell me the number in the first three grades of Munsifs and Sub-Judges?—In the one case it is 9 per cent. and in another case it is 15 per cent.

12859. That is 44 out of a total cadre of 253?—Yes.

12860. That is much better?—Yes.

12861. (*Mr. Sen.*) You wish to see introduced the time-scale system among Munsifs also?—Yes.

12862. In your answer to question (29) you say, "If the time-scale is limited to Rs. 500, I do not see why it cannot be adopted in the case of the Judicial branch also; the pay of the first grade Munsifs is now Rs. 500." Then you wish to introduce it amongst Munsifs also?—Yes.

12863. Why not among Sub.-Judges? Would not there be a block in promotion among the Sub-Judges?—You mean in the higher grades?

12864. Yes?—If the cadré is properly adjusted that is not necessary. But I have no special objection to it. At the last Reunion of the services many officers would prefer to have it up to Rs. 500.

12865. You have no special objection to the introduction of the time-scale in the higher grades?—No objection.

12866. In answer to Mr. Mukharji, you have compared the number of Munsifs and Sub-Judges in the higher grades. Will you tell me the number of appointments in the Rs. 500 grade in your service?—Yes, there are 48.

12867. Among Munsifs there are only 12?—The number is smaller.

12868. You consider the Rs. 500 grade to be superior, because selection is made to the higher grades from the Rs. 400 grade?—My proposal is that selection by merit should come at the time of promotion from Rs. 500 or Rs. 600.

12869. I do not wish to compare the Judicial service with it; but if you take the appointments up to Rs. 500 amongst Munsifs and Sub-Judges, you will find that the number of higher appointments among Deputy Magistrates in the Executive service is greater than among Munsifs?—Yes, if you include Rs. 500.

12870. At what age do these Munsifs get Rs. 600 generally? At the age of 50 or 51 generally, that is the age at which a Munsif becomes a Sub-Judge?—That was the case formerly; but now promotion is quicker.

12871. Do you think so?—He gets it in 18 or 19 years.

12872. A Munsif is not confirmed until he is 31 or 32, and if you add 18 or 19 to it, it becomes 49 or 50, and the Munsif has to gallop through between Rs. 600 and Rs. 1,000 within six or five years?—That may be so.

12873. Do you think they are in a more favourable position than the Deputy Magistrates? Is not the average pay of a Deputy Magistrate greater than that of a Munsif or a Sub.-Judge?—They are in a similar position up to Rs. 600, but after that Sub-Judges are promoted to Rs. 800, while Deputy Magistrates are promoted to Rs. 700.

12874. They enjoy those grades only for four or five years, do they not?—Formerly, some were Sub.-Judges in 11 years.

12875. That was in by-gone days, and we are speaking of the present system?—I do not say that of your present system. I have not calculated it, but I think that at present the two branches are in the whole, probably, in an equal position.

12876. I think the average pay of a Deputy Magistrate is greater than that of a Munsif?—I have not calculated it.

(The witness withdrew.)

[Adjourned for a short time.]

A. K. FAZLUL HUQ, ESQ., M.A., B.L., Pleader, High Court, Calcutta.

Written answers relating to the Indian Civil Service.

12877. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—A system of recruitment by open competitive examination is undoubtedly the best in principle, and seems to be particularly suited in the case of the Indian Civil Service. I believe the present system is, by common consent, the best that could be suggested, and is generally satisfactory in principle.

12878. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—My suggestions as to alterations in the present system will appear from the answers to subsequent questions.

12879. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. The enormous expense involved in making a risky attempt to get admission into the Civil Service under the present system, almost shuts the door against a very large majority of the Natives of India. An obvious remedy is by introducing a system of simultaneous examinations in England and India, as to which I invite attention to my remarks in answer to question (6).

12880. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I consider the system of recruitment by open competition as the best in principle, and have no alternatives to propose.

12881. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I believe the opinions of the majority of the leading members of my community are against the introduction of any system of simultaneous examinations in India and England for the Civil Service, but I am prepared to differ from this majority if the sole ground of opposition to the introduction of this measure be the apprehension that it will spell disaster to the Mussalmans of India. I have no faith in these alarming possibilities. No doubt the Mussalmans will suffer initially, but the incentive to win the prizes of such a brilliant service will tend to bring them up to the intellectual level of the advanced communities of the country. Moreover, I consider it repugnant to our sense of self-respect that we should consent to remain for all time as a dead weight on other advancing communities, constantly hampering them in their progress. My opinion is that the system should be introduced, at first as an experimental measure, provided Government is prepared to waive other objections whatever they may be.

12882. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examintion in India, or by means of separate examinations in each province or group of India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of such a system. Indians so recruited will be apt to be regarded by Civilians recruited in England as of inferior mental calibre. There will not be that feeling of comradeship between the two groups which I consider to be essentially necessary for the growth of a perfect harmony between the members of the services.

12883. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of any system under which Natives of India would be selected in India for admission to the Civil Service by any of the means specified in the question. I am not in favour of any one method of recruitment for Natives of India and another for the other subjects of His Majesty. Under present conditions, it is perhaps desirable that all classes and communities should be represented in the Public Services, provided this end could be secured without impairing their efficiency. In the case of the Indian Civil Service, an attempt may be made to secure this end by means of careful selections of members of both the branches of the Provincial Civil Service to fill listed posts. It should always be possible so to regulate the appointments as to secure properly qualified officers on the one hand, and an adequate representation of divergent interests on the other.

12884. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I have already expressed myself against a system of special recruitment in India for the Indian Civil Service, as suggested by the first part of the question.

12885. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—My answer is in the negative. The present system of promoting officers of the Provincial Civil Service to listed posts is sound, and should be extended rather than curtailed in any way.

12886. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—My answer is emphatically in the affirmative. Under present conditions, Civilians appointed to high judicial posts are called upon to perform duties for which they have had no previous training. It is but natural that, in these circumstances, they should occasionally betray a lamentable ignorance of law or legal procedure. At the same time they are daily brought into contact with well-trained lawyers, most of whom have attained to well-deserved eminence in the exercise of their profession. The contrast between the mental equipments of the Judge and the advocate or pleader for the discharge of their respective duties, is glaring and vivid, and very much to the disadvantage of the Judge. In making these remarks, I do not pretend to have said anything novel or new. Eminent men in responsible positions and fully competent to pass an authoritative opinion, have repeatedly denounced the present system and advocated a speedy reform. I think the question is not whether any changes in the present system are necessary, but what would be the best method of securing for the judicial posts the men who would be well-fitted to discharge their duties with credit to themselves and advantage to the public. I am very strongly of opinion that it is a mistake to make the District Judgeship practically a close monopoly for the Indian Civil Service. However brilliant an Indian Civilian may be as an administrator, and however well-fitted for the multifarious duties of an executive officer, he is occasionally lacking in that judicial temperament and legal knowledge which are essential to the making of a successful Judge. In place of the present system, I would propose as follows:—(a) Not less than two-thirds of the judicial appointments (other than Judgeships of the High Courts) should be made from the Bar; (b) the appointments should be restricted to Barristers, Advocates or Vakils of the High Courts who have practised their profession as such for not less than ten years, and attained to some eminence in such capacity; (c) the pay and emoluments should be liberal enough to attract really able men; (d) not more than one-third of the appointments should go to such members of the Civil Service as evince special aptitude for judicial work; (e) Civilian judges should begin as Additional Judges and should be gradually trained under the guidance of the District Judge in work of more and more increasing responsibility; (f) the pay and prospects in the judicial appointments should be good enough to attract first-rate men, or make it worth while for a Civilian to submit to the mental strain of a fresh training for judicial work. No doubt all this will require more money to be spent, but after all the Indian litigant contributes enough to the public revenues to be entitled to demand this extra expenditure to be made, to have his cases tried under the best conditions. No expense should be considered too great to bring about a reform, which is sure not only to be a boon to the public but to enhance public confidence in the fairness and impartiality of British justice.

12887. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limits seem to be satisfactory.

12888. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—I would consider the present age-limits as quite good. No differentiation seems necessary.

12889. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I would strongly recommend that Persian may be added to the list of Oriental languages and included in the syllabus. Also that the marks allotted to the Oriental languages should be equal to those assigned to European classics.

12890. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No. I would object to the differentiation on principle.

12891. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—I would consider that an irreducible minimum of European officers is indispensable, but what the minimum proportion should be, must vary from province to province. In Bengal, for instance, half may be adopted as this minimum. Subject to this minimum, Natives of India should be freely eligible for appointment to posts for which they are otherwise qualified.

12892. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—Answer is in the negative.

12893. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I am in favour of the system, as the prospect of promotion to these listed posts affords food for legitimate ambition for capable members of the Provincial Civil Service.

12894. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

12895. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation should not be less than one year. During this period the selected candidates, if Europeans, should be required to spend the period in India and to mix freely with educated, well-bred and cultured Indians, and try to get an insight into the peculiarities of Indian life. The course of study should include instruction in the vernaculars of the province where the officer is to be ordinarily employed.

12896. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes. In the case of Natives of India, I would recommend that the probationary period may be spent in England and the officer given an opportunity of seeing the best phases of English life and character. I have nothing particular to recommend as to the course of studies except that they should be required to spend some time at one of the great Universities. In the case of European officers, I would recommend the same period of probation to be spent in India. For answer to the rest of the question, please refer to answer (30).

12897. (32) Do you consider that the probationer's course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I have already said that in the case of Indians the period should be spent in England including a term at an approved University; and in the case of Europeans, the period should be spent in India.

12898. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—No.

12899. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Please refer to my answers to questions (29) and (30).

12900. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I cannot say if there has been any deterioration, because I am not aware what was the standard of proficiency attained by former Civilians. But I am not satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages at present. This could, to a great extent, be remedied by European officers mixing more freely with educated and cultured Indians than they are disposed to do at present.

12901. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I have already expressed my views against filling all the posts in the Judicial branch by members of the Indian Civil Service. The number that should be so employed and the conditions of employment have been set forth in my answer to question (11). I have no particular recommendations to make as to any steps for improving the proficiency in the knowledge of law of other members of the Indian Civil Service.

12902. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No, for I consider that any special course of study in law would not be sufficient to render them thoroughly qualified to hold high judicial appointments.

12903. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—No, for I do not consider such a training will serve any useful purpose.

12904. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—No. I think the exchange compensation allowance is necessary.

12905. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I do not think there should be any difference of salary.

12906. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave and pension in the Indian Civil Service?—I beg to offer the following remarks on certain points not covered by the foregoing answers:—I was a member of the Provincial Civil Service (Executive branch) for six years till I resigned my appointment in August 1912, to practise as a Vakil of the High Court. I came into close contact with most of the prominent members of the Indian Civil Service as well as the Provincial Civil Service in Bengal, particularly in the course of my provincial tours as Assistant Registrar of Co-operative Credit Societies. I am convinced that the public impression is that Government is losing confidence in Indian officers, and there is a tendency to fill almost all important posts by members of the Indian Civil Service. The subdivisional charges are instances in point. The result is that a large number of Civilians have got to be appointed, at present, to meet the demand every year. On the other hand, I am inclined to think that the Indian Civil Service is losing its attractions for English youths. There are the economic causes; there are the alarming reports about the Indian unrest and the growth of an anarchist confederacy in India, rendering European lives more insecure than before; and then, there are the changed conditions of Indian official life, consequent on the spread, throughout the educated classes, of democratic ideas. While therefore the number of men that have to be selected has increased, the number of candidates who offer themselves for examination has fallen off, or at least has not appreciably increased. The result is that you have got to go to the very bottom of the list in order to select the full complement of Civilians required every year. I think the difference in intellectuality of the man at the top and the one at the bottom of the list of selections now made, is more marked than it was a decade ago. If I am right, it follows that men of comparatively inferior intellectual calibre must be annually getting admission into the Civil Service. This is a very regrettable situation, for on the individuality of the Indian Civilian depends to a large measure the prestige, the popularity and the stability of British rule in India. I feel also bound to say that some of the present day Civilians are wanting in that urbanity of behaviour and due regard for feelings and prejudices which appeal so strongly to the Oriental mind. Men of an older generation generally say that former Civilians were of a distinctly different type. No doubt the type of an actually rude Civilian is rare, but I must confess that the specimen does in fact exist. I have myself come across a few in the course of my experience. I am strongly of opinion that the tendency to put Civilians into every conceivable post should be checked, and a much lesser number selected for Judicial appointments. The latter point I have discussed in answer to question (11). As regards the popular complaint concerning the want of courtesy of some Civilians, it is difficult to suggest a remedy. I think there should be a selection by nomination before candidates are permitted to offer themselves for the competitive examination. This would exclude all young men who cannot satisfy the Civil Service Commissioners as to good birth and position in society.

Written answers relating to the Provincial Civil Service.

12907. (51) Please refer to Government of India Resolution No.1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions governing recruitment to the two branches of the Provincial Civil Service, as laid down in the Government of India Resolution, may be considered suitable enough in so far as they lay down the broad principles on which the appointments have to be made. But it seems to me that, in order to secure the very desirable objects set forth in clause 1 of paragraph 3 of the Resolution, a departure from the existing Provincial rules is called for, in the matter of direct recruitments to Provincial Service. My suggestions are set forth in detail in answer to question (52).

12908. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—The rules, though on the whole suitable, do not fully satisfy the aspirations of the highly educated youths of the various communities. The rules should be so altered as to introduce a system of open competition combined with nomination. In lieu of the present system I would recommend as follows:—(*a*) All candidates should be required to present themselves for an open competitive examination. (*b*) Permission to appear at such an examination should only be given on the recommendation of district officers, who should be instructed to withhold permission from candidates of undesirable antecedents, or who cannot produce certificates of good birth and good character. (*c*) No particular University degree should be insisted upon as a condition precedent to obtaining such permission. (*d*) One-third of the appointments every year should be filled up by selecting the requisite number in order of merit. (*e*) The rest of the appointments should be made by selecting representatives of the various communities in order to secure a due representation of divergent interests. (*f*) In making these latter appointments also, care should be taken to select the best representatives of each particular community, as shown by the number of marks obtained at the examination. (*g*) The case of candidates who fail to obtain a minimum of one-third of the aggregate marks should not be taken into consideration. (*h*) If the requisite number for a due representation of a particular community be wanting, a selection may be made from candidates belonging to other communities.

12909. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes. But in the case of less advanced communities selection may be made from candidates belonging to other provinces.

12910. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes, fairly so. I consider that a due representation of all classes and communities in the Provincial Civil Service is not only desirable, but necessary. This object can best be secured by a judicious exercise of the power of nomination by Government, so as to ensure a full and adequate representation of various interests. In considering what would be a due representation of a particular community, regard should be had to its numerical strength in the province, its past history and political importance generally. In Bengal, for instance, Muhammadans should be given at least half the appointments every year.

12911. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Yes.

12912. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

12913. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I believe the existing rates of pay and grading in the Provincial Civil Service are not quite satisfactory. I would suggest that a grade of Rs. 1,000 a month be added.

19914. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No. I do not think there should be any difference in salary if once a member of the Provincial Civil Service be considered capable enough to hold a listed appointment.

MR. A. K. FAZLUL HUQ called and examined.

12915. (*Chairman.*) You are a Vakil of the High Court of Calcutta?—Yes.

12916. What other positions have you occupied?—I have been a member of the Provincial Executive Service for six years, and a Pleader in the mufassal also for five or six years.

12917. You recommend open competition for the Indian Civil Service?—I do.

12918. But in reply to question (50) you appear to advocate a system of competition limited by selection?—Yes, the nomination I have recommended is generally in answer to question (50), and I have pointed out why I desire there should be a previous nomination before candidates are permitted to offer themselves for the open competition.

12919. What form of selection would you prefer?—I cannot suggest any detailed scheme for that, but I would suggest generally a selection so as to include only young men who can satisfy the Civil Service Commissioners as to their good birth and position in society. Otherwise, I would throw the course open to competition.

12920. In answer to question (6) you say you believe the opinions of the majority of the leading members of your community to be against the introduction of any system of simultaneous examination in India and England, but that you yourself favour it?—I am personally in favour of a simultaneous examination.

12921. Have you any apprehensions that the Muhammadan community will suffer from inadequate representation under such a system?—I have already said that the Muhammadans might suffer initially, but there will be an incentive for them to make rapid progress in matters of education, as they have been doing during the last few years. If there is no set-back, I believe the Muhammadans will not suffer very much, and it will be for the good of India as a whole.

12922. You mean by that in a few years' time the incentive will be such that the Muhammadans will be able to compete successfully with the members of other communities?—I think so. One of the chief drawbacks to Indians obtaining admission to the Indian Civil Service is the enormous expense involved, and

Muhammadans are generally poor. Although a Muhammadan boy may be intellectually very brilliant, he is handicapped by poverty. That handicap will be removed if there is a simultaneous examination in India and England.

12923. Do you desire to see a European proportion retained?—I have said that a European proportion ought to be maintained.

12924. But you are not prepared to lay down any definite limit?—So far as the examination is concerned, I am not prepared to recommend that there should be any limit, because I do not think the services will be swamped by Indians. I have read some of the answers given here in the last few days, and I have been surprised to see the opinion expressed that the Indians will swamp the Civil Service. That would be a poor compliment to pay to European intellect, and I am not prepared to say that. I do not see how Indians can beat the Europeans when the examination is in English, which is the mother-tongue of the English people and a foreign tongue to the Indians.

12925. If there was danger of it, would you take steps to prevent it?—No, I do not mind that. I do not think the European element will be reduced; I have no fears in that respect. I do not think the Indians will be able to swamp the service, even if the simultaneous examination is introduced.

12926. In answer to question (6) you say "The system should be introduced at first as an experimental measure, provided Government is prepared to waive other objections whatever they may be." What do you mean by experimental measure?—Very weighty opinions have been expressed on both sides, and so far as the introduction of this important measure is concerned I would recommend that it be introduced for a certain number of years to see how it works, say for ten years, and, if in any respect it becomes a very undesirable measure, Government might reconsider their decision. It is very difficult to come to a conclusion.

12927. I suppose what you mean by saying "If it is found undesirable" is that if at the end of ten years the proportion of Europeans had seriously diminished, then some steps should be taken?—Quite so, that is one, and supposing Muhammadans or the other races do not get any representation at all in the Indian Civil Service, then of course Government might reconsider whether it would be at all politically advisable to leave the Indian Civil Service exclusively to any one particular sect or class. I have no apprehensions personally as to that.

12928. You feel quite confident that if at the expiration of ten years such is the result, then the experiment could be repealed with perfect safety and without any difficulty?—Yes.

12929. Do you not think that there would be objection on the part of the large Indian community who would be entering for the examination, to having its scheme so modified as to prevent their further entry?—I do not think there will be any such contingency. In the first place I do not think the European element will be reduced, and I do not think the different races will not get fair representation in the service.

12930. You say in answer to question (11) that the emoluments of District and Sessions Judges should be sufficient to attract really able men from the Bar?—At present no man from the Bar is taken for a District Judge, but when a Provincial Service man is appointed he gets only two-thirds of the salary. I have recommended in answer to one of the questions that when a Provincial Service man is given a listed appointment, he should get full pay. So when a man from the Bar is taken there should be no stint in the emolument given to him. He should get the full salary.

12931. You suggest his getting the full Indian Civil Service pay?—Yes.

12932. And you think that that pay would ensure getting a really competent man from the Bar?—As far as the District Judgeships are concerned, I think the pay that will be offered will be quite sufficient to attract the men from the Bar. That pay, of course, would not be quite sufficient if offered for a High Court Judgeship, but quite sufficient for the duties of the District Judge.

12933. You prefer that proposal to the one that has been made to us by several witnesses, that Civilians should have a better legal training and be put through a probationary course in the subordinate ranks as Munsifs and Sub-Judges before being made District and Sessions Judges?—I have given my opinion against that, because I do not believe that any amount of judicial training given to Civilians could really make them fit for the duties of a District and Sessions Judge. It is only men from the Bar who can deal with knotty legal problems, and not men who have had no legal training. In England, I understand, the judicial appointments are filled from the Bar, and there is no reason why there should be any difference in that respect in India.

12934. In answer to question (52), you suggest that appointment to the Provincial Civil Service should be by competition amongst selected candidates; that one-third of the appointments should be filled by candidates in the order of merit on the examination, and the remainder by selection. Does this proposal mean that the selection would be made from the remaining candidates on the examination list?—Selection from the list, but so as to secure a due representation of the various communities. If five Muhammadans have to be taken, take the very best five you have on the list.

12935. By that means you think you would get adequate representation for the different communities?—Yes, and at the same time, I should like that whenever any representative is taken from any community, the very best man should be taken.

12936. In answer to question (19), you say: "I would consider that an irreducible minimum of European officers is indispensable, but what the minimum proportion should be must vary from province to province. In Bengal, for instance, half may be adopted as this minimum." Would you have varying minima in the different provinces?—Yes; for instance in the North-West Frontier Province perhaps the European element might be higher than in a place like Madras, where less than half might be sufficient. I only use Madras as an illustration.

12937. How would you arrange that with an open system of examination?—As I have said, my opinion is that although the simultaneous examination might do for the present, and that a large number of Indians might appear at the examination, not a very large number will be able to get in, because the Indian graduates, under present conditions, will not be able to compete with European graduates. Unless the system is very much improved, Indian graduates will not have any chance against European graduates, although the number of Indians that appear will go up.

12938. So that you base your scheme on anticipation and chance?—I do not think it is chance.

12939. There must be an element of chance in it because you have no practical scheme for ensuring the minimum proportion?—I am convinced that the European element will be sufficiently strong after the examination is over to allow of this being done.

12940. You say in your answer to question (30) that you would give the candidate a period of probation in India?—Yes.

12941. How long would the probation in England be first?—It should not be less than one year, and preferably more than that.

12942. In answer to question (50) you say "While therefore the number of men that have been selected has increased, the number of candidates who offer themselves for examination has fallen off, or at least has not appreciably increased. The result is that you have to go to the very bottom of the list in order to select the full complement of Civilians required every year." Do you say that from any knowledge of the number of candidates who went up for the open competition last year or the year before?—I looked at the figures for two or three years.

12943. How many candidates were there for the vacancies last year?—I believe about 115 candidates offered themselves, and about 80 candidates were selected for the combined services.

12944. You have not really to go quite to the bottom of the list?—Very few are left out.

12945. I do not think you will find it was quite so few as you say. In 1911, 202 went up for 80 vacancies?—Supposing that ten years ago 150 went up and 30 were selected, the difference between the first man and the thirtieth would not be so great as the difference between the thirtieth man and the eightieth; that is the point I make out.

12946. (*Lord Ronaldshay.*) With regard to what you say as to the lack of urbanity and bad behaviour on the part of some recruits for the Indian Civil Service, would you say that was the result of your own personal experience?—Yes.

12947. You are of opinion that some recruits who come out to-day are not so polite and well-behaved as they ought to be?—They are not quite so polite as they ought to be.

12948. And you think you might avoid getting these men into the service if you had a system of combined nomination with examination?—Yes, nomination previous to competition.

12949. That is to say, you want a modification of the present system. You are not satisfied with pure competition; you want nomination first and examination among the nominated candidates?—Yes.

12950. If that is so, your answer to question (1) does not really express your opinion because you say "A system of recruitment by competitive examination is undoubtedly the best in principle, and seems to be particularly suited in the case of the Indian Civil Service?"—I say in principle it is the best. There are three ways in which you can recruit: by open competition purely, by pure nomination, or by competition and nomination combined. What I suggest is that after you have made the nominations you should throw the posts open to competition.

12951. But you want nomination before the examination?—Yes. In question (2) I was asked—"In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest." My answer is: "My suggestions as to alterations in the present system will appear from the answers to subsequent questions." This is one of the alterations I suggest.

12952. Can you tell me how many Indians there are in the Civil Service cadre in Bengal at the present day?—Eleven or twelve.

12953. I thought it was twelve or thirteen?—That is about it.

12954. Do you happen to know how many of those are Muhammadans?—In Bengal there are no Muhammadans in the Indian Civil Service. There are some in the Statutory Service.

12955. I thought there was one, as a matter of fact?—There is one, a District and Sessions Judge.

12956. Then there is one Muhammadan out of thirteen?—Yes.

12957. Therefore, when you say in answer to question (6) that if simultaneous examinations are introduced Muhammadans will probably suffer initially, you base your conclusion on the actual experience of the past?—On past experience, and also on the idea I have formed of Muhammadan candidates now from the University education that they get. It will depend on what sort of education you get at the Universities, and the Muhammadan graduates turned out by the Universities now I do not think will be able to compete with European graduates.

12958. But for other reasons you are prepared to risk the chance of very few Muhammadans getting into the service at first, and to have a system of simultaneous examination tentatively?—Yes. I consider that the Muhammadans will suffer for some years.

12959. If in the case of the Indian Civil Service you are prepared to stake the chances of Muhammadans getting in on the result of a competitive examination, why is it you are not equally prepared to stake the chances of Muhammadans getting into the Provincial Civil Service by a competitive examination?—In the Provincial Service I have not many apprehensions; in the Provincial Service it is far more necessary than in the Indian Civil Service that there should be a due representation of all classes and communities. It is almost indispensable, because on these officers fall the details of the work of administration. But as regards the Indian Civil Service, it is not indispensable that there should be a representation of all classes; some representation is necessary, and that I think will be obtained by the results of the examination. Things will adjust themselves to circumstances.

12960. In Bengal you think half the number of vacancies for the Provincial Service ought to be filled by Muhammadans?—That is my personal opinion based on the condition of the Muhammadans in this province, their population, their varied interests and their importance. That is practically the number of appointments that have been given to the Muhammadan community for some years.

21961. But apart from the desire of the Muhammadans to be represented in the service of the country, are there no other reasons which in your opinion are important reasons why half the Provincial Service should be filled by Muhammadans?—It is natural that the Muhammadans should desire to have some share in the administration of this country.

12962. But I said apart from that?—There may be a public impression that Muhammadan interests sometimes might suffer if not in Muhammadan hands, but I do not share that opinion.

12963. Generally speaking, does that impression exist among the Muhammadans of Bengal?—Amongst educated Muhammadans it does not, but of course the illiterate men are very numerous in Bengal, and the Muhammadan public generally are of that opinion.

12964. It is only among the uneducated Muhammadans?—Yes.

12965. (*Sir Theodore Morison.*) In your answer to question (16) you recommend that Persian may be added to the list of Oriental languages and included in the syllabus, and also that the marks allotted to the Oriental languages should be equal to those assigned to European classics. Do you mean to say that the marks assigned to Persian should be equal to the marks assigned to Sanskrit or Arabic?—I think the Persian language and literature have reached such a state of development that you can class Persian with the other languages.

12966. You rank it as a classical language and not as the great French, German, or Italian languages?—I do, unquestionably.

12967. It has been urged that Persian ought to be marked similarly to French or German, which is 600, and a proposal has also been made that the Oriental classics, Arabic and Sanskrit, should be marked the same as the Western classics, Greek and Latin. Do I understand that yours is a third proposal, that Persian should be marked the same as Latin and Greek as a classic.—It might be classed with French or German; it should be included in the curriculum and classed with those two things.

12968. (*Mr. Chaubal.*) You do not approve of appointment to a post by nomination?—Not pure and simple nomination.

12969. You are in favour of combined nomination and examination?—Yes.

12970. Are not there the same objections to nomination for examination as for nomination for appointment to the service?—I do not know how to answer that question, but I would not have recommended any previous nomination had it not been for the facts brought out in my answer to question (50). I think if there is nomination it will include some candidates previous who would not make good types of Civilians afterwards, so far as their behaviour to the people is concerned. They are men who do not belong to good society.

12971. I understand you are against any recruitment for service by pure nomination?—Yes.

12972. Because it is likely to degenerate into favouritism?—Yes.

12973. But you want nomination for getting through the door?—I do not want the nomination to be very strict, so as to exclude almost all possible candidates. I do not say that unless a candidate can satisfactorily show that he belongs to a very good position in society the nomination should not be given. What I say is that unless there is anything very much against him, nomination should be given.

12974 You mean that the nomination should be roughly to see that the social position of the candidate, whatever community he might belong to, is good?—Quite so. Otherwise, the nomination might be used as a means of excluding almost anyone.

12975. (*Mr. Gokhale.*) With reference to this question, I should like you to explain your meaning a little more fully to me. You want the Civil Service Commissioners to be satisfied as to the good birth and position in society of the candidate?—Yes.

12976. Will you explain a little more fully what you mean by birth and position in society?—My belief is that a man who comes from the best ranks of English society cannot be expected to turn out uncivil in his career as an official in India.

12977. Do not you think that a man with those aristocratic traditions might be wanting in democratic sympathies, which are so valuable here at the present day?—That might be, but I do not think men of aristocratic tendencies would care to enter the Civil Service at all.

12978. Good birth and position in society are expressions which I do not think you can push very far?—In the previous answer I have said that unless you find a man belongs to such a class of society that he ought to be excluded; he should not be excluded.

12979. That also is fairly vague, is it not? However, I will not press the point. You do not think that Mussalman intellect is in any way inferior to the Hindu intellect, do you?—I do not think so.

12980. You would resent it if anybody said so?—Yes, I would resent it.

12981. Is it your experience that Aligarh young men may challenge comparison in point of intellect with those of any other college in the country?—I would not confine it to Aligarh only.

12982. I will take Aligarh first of all because it is the best known institution?—The types of Aligarh graduates are very good.

12983. Some of the best men in the country have come from Aligarh?—Yes.

12984. You would say that, with proper educational facilities, there is nothing to prevent the Muhammadans getting their full share in any competition?—That is my view.

12985. The best course, therefore, for all Muhammadans, as also for all others interested in their welfare, is to concentrate on educational facilities, rather than to encourage inferior standards by asking for special favour being shown to men who have inferior qualifications?—Yes, that is my view.

12986. Do you know that in the Civil Service Examination in England Muhammadans have done very well, considering the numbers that have gone up there? Do you know the number who have entered?—I do not know about Hindus, but a Muhammadan seldom goes unless he is practically sure of getting into the service, so that I cannot generalise on that.

12987. The pick of the men from both sides go?—Yes.

12988. I find from the statistics that out of 59 Indians who are in the service to-day, nine are Muhammadans, which means, roughly, slightly less than one-sixth. This is less than the proportion of Muhammadan population, but only very slightly less. Considering that the Muhammadans began to go later than the Hindus for the Civil Service, would you consider this was very unsatisfactory?—No, I would not.

12989. Do you think it establishes your contention that, equal facilities being given, Muhammadans would be able to hold their own in open competition against any section of the country?—I think so.

12990. (*Mr. Sly.*) In your answer to question (8) you suggest that a certain amount of class representation might be secured in the Indian Civil Service by means of selection from members of the Provincial Civil Service. Do you not think it would cause very great harm to the Provincial Civil Service if selection from that service for listed posts was not to be made on account of the merit and ability of the man, but on the ground of his class?—I do not think I have explained myself in that answer. In making appointments to these listed posts, care should be taken to provide for the representation of different communities also. It should always be possible so to regulate appointments as to secure properly qualified officers on the one hand, and an adequate representation of divergent interests on the other. If four appointments have to be made in the course of six years, two might be given to Hindus, one to Muhammadans, and one to the Anglo-Indian community. The average Muhammadan officer in the Provincial Civil Service is quite as good as the Indian officer or the Anglo-Indian officer. I do not think the efficiency would be impaired at all if occasionally a Muhammadan was selected for a listed post.

12991. But it would be very hard on the Provincial Civil Service officer, whether Muhammadan or Hindu, if he is to be passed over for selection for a listed post, not because the other man is better, but because the other man happens to be of a different class?—My impression is that in making appointments to the listed posts you do not take actually the best Provincial Civil Service officer; sometimes the officer selected for the listed post happens to be inferior to a good many men in the service. If that can happen there is no harm in taking a Muhammadan, because he is a Muhammadan, in order to secure a representation of Muhammadan interests.

12992. For the Provincial Service itself you have suggested that half the appointments ought to be filled by Muhammadans?—Yes; so far as Bengal is concerned.

12993. If you have that system of competition which you suggest, past experience of the open competition in Bengal shows that practically no Muhammadan would get in by the open competition, and that the whole half would have to be selected by Government more or less. Do you think that would be a good system?—I do not see any harm in that. If you have to make twelve appointments you throw three open to competition, and then as regards the nine you take the very best six you can find by nomination, not in a haphazard way. In a system of pure nomination you are almost groping in the dark, if I may so say: you do not know whom to pick out.

12994. Six you say would probably have to be selected as Muhammadans?—Yes, but I put in one reservation. The candidates whom you nominate should have secured at least one-third of the aggregate marks. The candidate who does not secure that is not taken into consideration at all.

12995. As long as he has secured the aggregate marks it does not matter?—It does not matter, and from the list you pick out the half that is necessary.

12996. Do you not think the Hindu community would resent the fact that all the selections made by the Government would be Muhammadans?—I do not think the Hindu community will be ungenerous to that extent, to grudge half the appointments in a place like Bengal.

12997. With regard to your scheme for the Judicial service, when you talk about not less than two-thirds of the Judicial appointments being made from the Bar, do you mean two-thirds of the District Judgeships, or do you wish to start your service lower?—District and Sessions Judges.

12998. You want direct recruitment to District and Sessions Judges?—Yes.

12999. How would you satisfy the claims of the Provincial Service in that matter?—The one-third that I leave out I would give to members of the Indian Civil Service and members of the Provincial Civil Service. I would include in the one-third a man from the Provincial Civil Service also.

13000. You would have two-thirds District and Sessions Judges direct from the Bar, and one-third partly from the Indian Civil Service and partly from the Provincial Civil Service?—Yes.

13001. In reply to question (50) you have said: "The subdivisional charges are instances in point. The result is that a large number of Civilians have got to be appointed at present to meet the demand every year." So far as statistics go, they show there has been no increase in the number of English Civilians appointed in recent years?—There has been an increase in the cadre. Some appointments like additional District Magistrates have been made, and those appointments were not made previous to the

Partition in 1905, and my opinion is that those appointments ought to have gone to men from the Provincial Civil Service. There is no necessity for appointing English Civilians to these posts. I was in the Provincial Executive service from 1906—12, and in my time I found that for two or three years most of the subdivisions were being filled by members of the Indian Civil Service, men with not more than one year's service in the country, exercising second-class powers and put in charge of subdivisions. It caused great heartburn in my service, and we all resented that, simply because we were Indians, we were not put in charge.

13002. But the number of Indian Civil Servants in this country recorded every year is not increasing in the mufassal?—Taking the last ten years, has not the number of Civilians increased?

13003. No?—My impression was that it had increased.

13004. It has not increased for the past 15 years. Since Burma was included in the cadre the proportion has been practically constant?—My impression is that, before the new regulations came into force in 1902, the number had increased.

13005. That increase was on account of the Burma cadre, not because more Civil Service men were employed in other parts of India?—I remarked that there is a tendency to put Civilians into every conceivable post, and that remark I adhere to. I think the public impression is that there is a tendency on the part of the Government to put Civilians into every conceivable post.

13006. In the country?—I am speaking for Bengal.

13007. (*Mr. Macdonald.*) You were a member of the Provincial Civil Service?—Yes.

13008. How did you get in?—By nomination.

13009. Did you come in at the bottom or were you nominated to a post pretty well up?—I was given a special appointment by the Lieutenant-Governor; I was taken from the Bar and appointed direct.

13010. By Sir Bampfylde Fuller?—Yes.

13011. And you only stayed a few years?—Six years, and I held very important posts.

13012. Why did you leave?—I left for personal reasons.

13013. Did you leave because you were dissatisfied with the prospects of the Provincial Civil Service?—That was one reason. I thought I could improve my prospects by reverting to the Bar.

13014. If the Provincial Civil Service had been better, would you have stayed in?—I think so.

13015. In answer to question (50) you say you are convinced that the public impression is that Government is losing confidence in the Indian officers?—Yes.

13016. Have you anything further to say on that subject than you have said in reply to Mr. Sly's questions?—No, not very much. My remark on that point is based on experience and talk with brother officers and leading non-official Natives.

13017. You are voicing a general feeling?—Yes.

13018. Is this a kind of feeling which is not so much owing to detailed examination of cases as it is to something that has got into the minds of a mass of men?—It has got into the minds of the members of the Provincial Civil Service, and I imbibed that idea at that time. I was very much impressed with the idea that the Government was losing confidence in Indian officers. Latterly, I have not gone out so much into the mufassal, but when I did, that was the impression amongst the members of the Provincial Civil Service and amongst the Natives.

13019. You do not know whether that feeling has improved now?—I do not think the feeling has improved; I think it still remains.

13020. In answer to question (36) you say that certain deficiencies on the part of European officers could to a great extent be remedied by officers mixing more freely with educated and cultured Indians. Why do you not refer to their mixing with the raiyats?—They do not do so generally, but if they did so it would be a very good thing.

13021. Is it not the usual reply made that to mix freely with educated and cultured Indians does not bring European officers into touch with India?—I would insist on their speaking with the cultured Indians in the vernacular; otherwise it is no good mixing with them.

13022. When they have been told that they did not mix with educated and cultured Indians, have you heard the reply "No, but we mix with the raiyats and we know what they feel,"?—My impression is that the Civilians do not generally come in contact with the raiyats. In the first place, the District Magistrate does not very often go out on tour, but when he does go out the raiyat has no access to him; he is not mixing with the raiyats at all.

13023. You were connected with a Co-operative Credit Society?—Yes.

13024. And in that connection you had to mix with the raiyats very considerably?—Yes.

13025. You know the opinion of the raiyat, an opinion you gathered in mixing with him as an officer, and I suppose you discussed agricultural affairs with him?—Yes.

13026. And his worldly prospects, seeing that they are mixed up with the co-operative movement?—Yes.

13027. Did you come across very much evidence of the superior European officer's influence amongst them?—Influence in what way.

13028. Did you find that they looked up to him and regarded his opinion, that they held him in very high esteem?—The raiyats hold any Government official in high esteem, whether European or Indian.

13029. When an Indian officer goes to them, would they say they appreciated him; and when a European officer went to them, would they say they appreciated him also?—If the European officer is approachable, of course. The Indian officer always is.

13030. If a raiyat says to an officer, whether European or Indian, that he appreciates him more than anybody else, does that mean very much? Do they always say that to whatever Government officer comes?—I do not think the European officer would be more appreciated by the Indian raiyat than the Indian officer. I do not think that inquiry was ever made or that sort of question put.

13031. You have not come across that sort of statement?—I have not come across any cases in which the raiyats have said they had no confidence in Indian officers. That is all I can say.

13032. (*Mr. Abdur Rahim.*) Is it not a fact that so far as the raiyats are concerned, they come more into contact with the officers of the lower ranks than with the officers of the higher ranks?—That is so.

13033. As a matter of fact the influence of the officers of the lower ranks is much greater with the raiyats than the influence of the European members of the Civil Service?—That is so.

13034. I should like to understand more clearly the distinction you seek to make between the Indian Civil Service and the Provincial Civil Service in respect to the necessity for competitive examination?—The men in the Provincial Civil Service bear the whole brunt of the administration, and class representation is necessary there if anywhere.

13035. Why?—Because in a particular area, supposing there is a large majority of Muhammadans, the interests are mostly those which affect the Muhammadans, and the Muhammadan officer would be more sympathetic and able to appreciate them than any other officer.

13036. Do you not require as much sympathy in the higher officers?—The higher officers are so far removed from the general body of the public.

13037. It is they who really control the administration of a district?—Yes, they control generally.

13038. And the subordinate officer generally carries out orders?—There are many matters which subordinate officers dispose of then and there, which never go up to the Indian Civil Service officer at all.

13039. Unless the District officer is in touch with the people, the administration is bound to suffer?—Of course, the administration will suffer.

13040. So that your reason would apply to a great extent to the District officer himself?—So far as the Indian Civil Service is concerned, I think there should be some sort of representation, although it is not indispensable, and I provide for that in making the listed appointments.

13041. What I am suggesting to you is that the administration would be the gainer by having different communities represented in the higher service, if you could secure such representation consistently with efficient service?—I think a higher standard would be required for the recruitment of an officer for District Magistrates than for the post of a Deputy Magistrate.

13042. So that in the case of appointments of Deputy Magistrates you might make provision for class representation as well as to secure considerations of efficiency. What you mean is, if you want too much of class representation you might impair efficiency of the service?—Supposing it is possible to secure a very high qualification, I would not object to classification.

13043. I understand your position to be that it is only by open competition that it is possible to secure high qualifications?—Yes.

13044. Do you know that open competitive examination from year to year must necessarily vary in its standard?—Yes.

13045. There is no minimum standard?—Not at all.

13046. In some years it may be that 2,000 marks are sufficient, and in another year 1,500, while in another year perhaps 3,000 are not enough?—Yes, I have seen the marks obtained by examination.

13047. So that there is no standard for open competition?—No.

13048. Therefore, from that point of view it does not compare favourably with a qualifying examination?—I recommend the open competition because I consider that it is as a system of recruitment better than a system of pure nomination.

13049. So far as educational qualification goes I put it to you that a purely qualifying examination is better?—If the nominations could be made quite clearly without any possibility of mistakes as to the intellectual fitness of the candidates I might have no objection.

13050. You know that in the Educational Service there are men of very high educational qualifications. Do you think that their qualifications are inferior to the qualifications of the members of the Indian Civil Service?—I do not think they are inferior.

13051. As a matter of fact, perhaps they count in their ranks more distinguished graduates of English universities than the Indian Civil Service?—Very likely.

13052. Proposals have been made to us that the ideal state of things would be to introduce open competition for the Provincial Civil Service also. You apparently do not agree with such a proposal?—No.

13053. You know that the results of the open competition here were that not a single Muhammadan has got in during the whole time?—Yes.

13054. I doubt if any got in in any open competition throughout India. Supposing that is so, if open competition is now introduced the result would be total exclusion of the Muhammadans from the Provincial Service?—The Muhammadans have greatly improved in education.

13055. Do you think they will be able to get in by open competition now?—A larger number will get in now than got in before.

13056. Can you tell me how many Muhammadan graduates have come out at the top of the University list?—I could not generalize; some Muhammadans will get in, though a very small number.

13057. In the last five years have any Muhammadans come out at the top of the University list?—Yes. The year before last a Muhammadan headed the list of Honours in mathematics in the University, and had a first-class pass. Another gentleman got high up in the Honours list in philosophy.

13058. Apparently, therefore, there is one. I suppose since the University has been instituted there would not be more than half a dozen who obtained such high places?—I admit that very few Muhammadans will be able to get in, but some will be able to get in.

13059. Have you considered what the effect will be on the development of the Muhammadans in Bengal? Do you not think it will considerably retard their development if we exclude them from public service by instituting a system of marks?—That is why I do not advocate a wholesale system of open competition; I make a reservation for nomination.

13060. As a matter of fact, within the last few years there has been an improvement in the position of Muhammadans in the public service, though not enough improvement to satisfy the community. Do you know that that improvement has led to the improvement in the education of Muhammadans?—Yes.

13061. Would you advocate any system by which that improvement would receive an absolute check?—No. That improvement in education among the Muhammadans is not due solely to the fact that some Muhammadans have got into the service. It is a sign of the times. All communities are improving.

13062. Do you know that want of means stands in the way of Muhammadans receiving the benefit of English education?—Yes.

13063. And that English education is becoming more and more expensive in this province?—Yes.

13064. You also know that it is mostly men in Government service who largely educate their children. If the result of any system of open competition be to stop Muhammadans getting into Government service you will have practically one generation which will be very much the loser in point of education?—I concede that.

13065. And that will have a considerable effect in retarding education amongst Muhammadans?—I admit that also.

13066. There have been many Muhammadans who have distinguished themselves in the Provincial Civil Service?—Yes.

13067. In spite of the fact that they did not get in by the door of open competition?—That is so.

13068. Can you tell me that men that got into the Provincial Civil Service by open competition have distinguished themselves more than men who did not get in by open competition?—I do not quite follow that question.

13069. Among men who have distinguished themselves in the public service are there more men who have entered by open competition than men who were nominated?—The open competition system was in force before, and nomination only came in for five or six years. More men entered by competition.

13070. Have the men who were nominated distinguished themselves more than the others?—I would rather put it in this way. The men who have distinguished themselves in the service belong indiscriminately to both. The average man who has come in by nomination does not make a worse officer than the average man who comes in by open competition.

13071. You know there have been men in the Provincial Civil Service who have been selected to fill responsible offices in Native States and have done well there?—Yes.

13072. Some of them have been Muhammadans?—Yes.

13073. Perhaps more Muhammadans than that of any other community so far as Bengal is concerned?—Yes.

13074. Would it not be a loss to the administration of the country if any system was adopted which excluded such men?—Amongst men who have distinguished themselves in the service are men who have come in by pure nomination.

13075. (*Sir Valentine Chirol.*) You say there is an impression that Government is losing confidence in the Indian officers, and in reply to a question, you said you thought that impression still existed. Can you tell us what is the general impression as to the reason for which Government is losing confidence in Indian officers?—I could not say. It might be on account of the changed conditions of the country; it might be political reasons.

13076. You can only say that the impression exists, but you cannot tell us what that impression can be ascribed to?—No.

13077. Does your experience enable you to say that the amount of sympathy shown by European officers towards Indians depends in any way upon the political leanings of the British officer, whether democratic or otherwise?—I could not say that, because so far as European officers are concerned, it is very rarely that we know their political views. We come to know them as Europeans simply.

13078. (*Mr. Bompas.*) What district do you come from?—Bakarganj in Eastern Bengal.

13079. Are you aware that it has been always a practice for young Civilians in their second year of service to be sent to take charge of a subdivision?—My impression is that formerly they were not sent out quite so early.

13080. Will you take it from me if I say it was so?—In those years I mentioned, 1906-08, Europeans were sent out to subdivisions much earlier, after a year's service, exercising second-class powers.

13081. Is it not a fact that before the partition these young Civilians were sent to subdivisions in Western Bengal and that therefore you never saw a Civilian subdivisional officer in Eastern Bengal?—I never saw him.

13082. But they really existed in other parts of the province?—I have no experience.

13083. After the Partition the Civilian in Eastern Bengal had to go to his subdivision, and therefore had to be sent to subdivisions to which Civilians had never been previously posted. May not that account for the impression that there was a sudden increase in the number of subdivisional officers?—To a certain extent it might. On one occasion a Civilian was sent out to take charge of a subdivision where there was an Indian officer, a Deputy Magistrate, exercising first-class powers, and it seemed to me an anomaly that a Civilian with second-class powers should be in charge of a division, while a Magistrate was exercising first-class powers. I consider that is not quite desirable, because a Deputy Magistrate having first-class powers with 8 or 10 years' service behind him would be far more competent to take charge of a subdivision than a young Civilian exercising only second-class powers and quite new to the country.

13084. (*Mr. Mukherji.*) In your scheme for combining open competition with nomination for the Provincial Civil Service you say that no particular University degree should be insisted upon as a condition precedent to obtaining such nomination. Do not you think that some University degree should be asked for?—No, I should like to make the field of selection much wider, because there will be the competitive examination afterwards. In the Civil Service you do not insist on any particular University degree.

13085. (*Mr. Sen.*) In answer to question (11), you say that two-thirds of the judicial appointments should be given to members of the Bar, and one-third to members of the Civil Service who have aptitude for judicial work. In reply to Mr. Chaubal, you said that within this one-third should be included listed posts. Do you mean to say that in that case Provincial Service members would have the same chance of becoming District Judges as they have now?—I should like them to have an equal chance with the Indian Civil Service.

13086. Do you advocate that some appointments should be reserved for members of the Provincial Civil Service?—Out of the one-third half might be given to Provincial Service men. I do not wish to see District and Sessions Judges in the hands of Civilians at all. It is only out of deference to the Civil Service that I have recommended that some posts should be given to them. In England, judicial appointments are made direct from the Bar, and not given to the Civil Service at all.

13087. I am confining myself only to the Provincial Service. You wish that they may be promoted, and that some posts should be reserved exclusively for them?—Yes. One-sixth should be given to them at any rate.

13088. Some of our countrymen who have given evidence before this Commission seem to be of opinion that District Judges and Magistrates appointed from the Provincial Service do not command as much influence and are not earning as much respect as members of the Indian Civil Service. Are you also of that opinion?—No. I think when they are appointed to the listed posts, they command as much respect as members of the Indian Civil Service.

13089. You are of opinion that they are held in very high esteem?—Yes, as much esteem as Indian Civilians are.

13090. And they are never inferior?—No. Once they are given a listed appointment, they command as much respect as an Indian Civilian.

13091. The very fact that they are District Judges and District Magistrates is sufficient for them to command the same respect as an Indian Civilian?—Certainly.

(The witness withdrew.)

(Adjourned to Monday next at 10-30 A.M.)

At Calcutta.

Monday, 27th January 1913.

THIRTEENTH DAY.

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.	ABDUR RAHIM, ESQ.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.	GOPAL KRISHNA GOKHALE, ESQ., C.I.E.
SIR THEODORE MORISON, K.C.I.E.	WALTER CULLEY MADGE, ESQ., C.I.E.
SIR VALENTINE CHIROL.	FRANK GEORGE SLY, ESQ., C.S.I.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.	JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, ESQ., I.C.S., Chairman of the Calcutta Improvement Trust.	SARODA PRASAD SEN, ESQ., Additional Sessions Judge, Sylhet. RAI BAHADUR PRIYA NATH MUKHERJI, Inspector-General of Registration, Bengal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. } *Joint Secretaries.*
R. R. SCOTT, ESQ. }

SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

Written answers relating to the Indian Civil Service.

13092. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have no personal experience. I would suggest the matter being enquired into in England as well as in India. All one can say is that at times a complaint is made that the present system does not always allow the best class of Englishmen competing for it. Europeans of the Indian Civil Service should undergo at least a year's training out in India and pass another examination here in Indian language and laws before being finally appointed.

13093. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The answer to this question is covered by my answer to question (1).

13094. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—So far the Indians that have passed into the Indian Civil Service seem to have been not so successful in district or mufassal work as they have been in their examinations. Some supplementary examination out in India seems therefore necessary to complete their training.

13095. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—The open competitive examination has its drawbacks, but it should be continued.

13096. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—*Vide* my answers to questions (1) and (3).

13097. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I think this change may be desirable. A separate examination in India for Indians alone may be held, but this should not debar the Indians from the eligibility of competing at the Indian Civil Service examination in England. A proportion of Indians as Assistant Magistrates, Joint Magistrates and District Magistrates should be decided upon. I would suggest 25 per cent. of the appointments in a province being kept as the maximum for Indians; and in the case of District Judges I would propose the proportion to be 35 to 45 per cent.

13098. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I would introduce the appointment of Indians of rank and ability to the posts of Additional Commissioners, Commissioners, or even members of the Board of Revenue, by nomination, the proportion being one such Commissioner for every five years in a province. The Government ought to have an eye on the representation of all the communities, but the method now in vogue has made the Hindu-Moslem question in India acute. This should, in future, be avoided.

13099. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—A new service may be created for Indians superior to the Provincial Civil Service as at present existing. In that case, I would reduce the number of Deputy Magistrates by 15 to 20 per cent. and create the posts of Assistant and Joint Magistrates in lieu thereof.

13100. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Yes; time has come to fix a proportion of recruitment from the Bar, as a good deal of unrest in India is due to the problem of the educated unemployed in the country and at mufassal Bars: an unemployed lawyer is not a *rara avis.* I would make the recruitment from the Bar at least 20 per cent., if not 25 per cent., and then gradually raise it up to 50 per cent. in case the system works out satisfactorily.

13101. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—In my opinion, the term "Natives of India" should be so defined as to signify persons of pure Indian descent only. Those of mixed European and Indian descent and the Anglo-Indians domiciled in India should be excluded from its scope for the purposes of section 6.

13102. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limit does not seem to require any modification except as suggested in my answer to question (15).

13103. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—Whatever be the age of one at the time of his passing the Indian Civil Service examination or joining the service in India, no Civilian below the age of 28 should be permitted to act as a District Magistrate or Collector even temporarily, and none below 30 should be made permanent in such a post.

13104. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—It now being ruled by the Calcutta University that no student below the age of 16 should be allowed to appear at the Matriculation examination, the Civil Service age-limit goes rather hard for Indian students. If perchance they lose two years in the college before they graduate, they are already out of years for the Civil Service; as the Englishman enjoys the advantage of learning the courses in their mother tongue and as Indians have to acquire a foreign language quite thoroughly, it should be enquired into as to whether the age-limit in the case of the latter should not be higher.

13105. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—*Primâ facie* some differentiation seems necessary, but I cannot make any definite suggestion, not knowing the subject.

13106. (18) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes; high administrative and judicial posts. But the Civilians should be very sparsely put into political appointments, as Military officers or non-Civilians are more suitable for such posts and are less interfering with the Native States.

13107. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre, partly through the medium of an open competitive examination in England, and, partly by special arrangement in India?—Yes, on the whole I consider it satisfactory.

13108. (22) If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—Yes; they should get at least 90 per cent. of the posts in the Political Department.

13109. (23) Do you consider that such a system should be restricted to the recruitment of Military officers, or extended to the recruitment of selected officers from other Indian services?—I am not sure whether the recruitment should be restricted to Military officers only; selected officers from other Indian services may also prove useful.

13110. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The apportionment of such appointments may need re-adjusting—enlarging if no new intermediary service for Indians be created, or reducing if a new service be created.

13111. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or statutory Civilians may be appointed to one-quarter of the listed posts?—Yes, the rule is all right; but the full proportion must always be given away to the Natives of India when there are candidates.

13112. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—A general enquiry should be made. I have nothing particularly to say.

13113. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—The course of study must necessarily be somewhat different, but language study out in India for Europeans before joining active service seems to me to be badly needed.

13114. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—I think a college will suit well for the training of probationers, regarding whom please also see my replies to questions (1) and (3).

13115. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—*Vide* my replies to questions (1) and (3). Yes if such training be introduced in India, it seem to me to be necessary that each Provincial Government should arrange for it.

13116. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—No; they are allowed too much to be in the Presidency towns as Under-Secretaries soon after they join service. They should first of all undergo some general training, then learn work at the head-quarters of districts for at least a year, then spend at least three years in the mufassal, then get a two years' training as Under-Secretary, and then revert to the district and rise according to ability and seniority.

13117. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes, too much red-tapism, office work, desire for club life and so forth, seem to be the chief causes of their indifference or deficiency. This may also be due to want of time and absence of strict rules regarding the compulsion of learning Indian languages.

13118. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch.—For district and other officers, a special training in the Court of a Presidency Magistrate or a District Magistrate for a year might be worked out and for the judicial branch a two years' course in the Court of a Judicial Commissioner or District Judge might be of great use.

13119. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Yes; I have no suggestions to make about the study of the English laws, but the study of the Indian laws, specially those of inheritance, adoption, marriage and transfer of property, seem absolutely necessary.

13120. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—I think some special training in law is necessary; but as I have no experience of the matter, I cannot give the details.

13121. (41) If you had recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—One or two years' probation before confirmation in the appointment.

13122. (44) Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—More Assistant or Joint Magistrates seem necessary. At the head-quarters of each district there should always be a Joint Magistrate and at least one Assistant Magistrate, and the new scheme of the Sadar Subdivisional Officer should be abandoned and the Joint Magistrate should do this work.

13123. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—The pay seems to be all right, but the promotion from Subordinate Judges to District Judges, or from Deputy Magistrates to District Magistrates, is of rare occurrence, and the percentage should, in my opinion, be raised a little higher, for it is very disheartening to many deserving officers.

13124. (48) Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—None except that for the first 15 years of service, no Civilian should be allowed ordinarily to get leave long enough to leave the country at less than three years' interval.

Written answers relating to the Provincial Civil Service.

13125. (52) Are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—I am not sure whether the old competitive system would not do better. Even if the present system be continued the University should be given power to nominate a larger number of candidates, and His Excellency the Governor should have more appointments at his disposal.

13126. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

13127. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—As far as the Executive branch is concerned, hardly any complaint is heard of. The number of Judicial officers, specially the Munsifs, may require increasing a little.

13128. (58) Are you satisfied with the present designation, "the Provincial Civil Service?" If not, what would you suggest?—I see no harm in the present designation.

13129. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I have nothing to say against the existing rates of pay but the promotion beyond the last two grades is very slow, and consequently very much discouraging to competent men. This should be expedited by all means.

13130. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I think the proportion is fair.

13131. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—I am unable to make any definite proposals, but complaints are heard now and then from the members of the Provincial Service about the leave rules and superannuation pensions.

13132. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I am unable to make any definite proposals, but complaints are heard now and then from the members of the Provincial Service about the leave rules and superannuation pensions.

SIR BIJAY CHAND MAHTAB called and examined.

13133. (*Chairman.*) What is your caste?—Kshatriya.

13134. You are a large zemindar in Bengal, I believe?—Yes.

13135. Therefore you have had considerable experience of the different communities in India?—Yes.

13136. In answer to question (3) you say that so far the Indians, who have passed into the Indian Civil Service, seem not to have been so successful in district and mufassal work as they have been in their examinations. Am I to gather from this that their administrative work which has come under your observation has not been so successful as it might have been?—They have not shone so brilliantly as they have at the examinations. Very often one hears complaints that as Indians they ought to have done better than they did.

13137. You suggest as a remedy that there should be a supplementary examination out in India to complete their training?—Yes.

13138. Do you think that a second examination would be likely to effect the purpose you have in your mind, if the first somewhat severe examination in England has not effected it?—It is not so much a question of a second examination of the same severity, as it is to the necessity of passing an examination on general subjects out in India which the Civilian has got to cope with in his every-day life.

13139. I take it that you are criticising not any deficiency of intellectual acquirements, but rather the want of efficient experience in the every-day work of administration?—Yes.

13140. And you think some form of training would get over that difficulty?—I think some form of training would be necessary, in the same way as some form of training is necessary for Europeans in the Indian Civil Service coming out to India. Of course, the method of training may have to be different in the case of an Indian.

13141. You feel that the deficiency which you have in your mind is one which can be remedied?—Yes, certainly.

13142. Then your suggestion is that Indian recruits for the Indian Civil Service, after entering into the service, should be obliged to pass a test of general fitness, which would apply exclusively to Indians, and would not be extended to Europeans?—I think in my subsequent reply I have referred to the European also undergoing some training out here in languages, and things like that. Therefore, this particular training would primarily apply to Indians.

13143. But your suggestion is that it would be not only a training, but something in the way of an examination, which might entail the rejection of the candidate?—In that case it would entail the rejection of a European candidate, supposing the European candidate did not pass the language examination. It applies in the same way to the European as it would to the Indian.

13144. Do you not think that this would have a discouraging effect on recruitment?—It is difficult to say, because whatever deficiency, or whatever want of knowledge, has been experienced by those Indian members of the Indian Civil Service is due to a great many facts, not simply to their want of knowledge, but to many other facts which, of course, an examination alone would not eradicate.

13145. In answer to question (7) you have stated that you are in favour of a separate examination in India for Indians?—I am not fully in favour, according to that answer. I have said that this change may be desirable, but later on in that very answer I have referred to fixing the percentage of the appointments to be given to Indians?

13146. You fix the appointments at 25 per cent., and in the case of District Judges you propose a proportion of between 35 and 45 per cent.?—Yes.

13147. Does that mean that 35 to 45 per cent. of Judges would be included in your one-fourth, or in addition to your one-fourth?—It would be inclusive of the one-fourth. I take it that it would be a little more than one-fourth.

13148. If your scheme were carried out you, would be in favour of reducing the number of listed posts?—I would not be in favour of reducing the number of the listed posts; but I would be in favour of fixing a percentage for Indians in the listed posts. That is practically what my reply comes to. Supposing we had, say, in a year fifty appointments, according to my percentage a certain number of those appointments would go to Indians.

13149. In other words you would fix the listed posts at what they are, and whatever there is over to make up the one-fourth you would throw into a separate examination in India?—Yes. What I mean to say is, that in the listed posts you would have to have, say, a percentage for candidates who have passed their examination in India, and among the other posts of course they would be open to every candidate in the same way as by examination in England.

13150. In answer to question (8) you say that you would like to see Indians appointed by direct nomination to some of the highest posts in the service. Does that mean that you would bring in by nomination men of position outside the Indian Civil Service?—Men both of position and ability: it does not matter what their rank may be.

13151. They must pass a qualifying examination?—Yes, in the same way as you are now putting men into the Executive Council.

13152. How many nominations of that character would you suggest?—I think I have suggested one Commissioner for every five years in a province.

13153. They would be confined to those high posts?—Yes. My idea in suggesting this is, that any Indian member who enters the Executive Council very often has not got experience of administration, therefore if he did good work as a Commissioner he may possibly be a good or eligible candidate for being appointed as an Executive Councillor later on. Therefore it is very necessary, if we are to introduce into the country the system of getting Indians to enter the Executive Council without any former knowledge or former experience of the administrative machinery, to put Indians also in as Commissioners.

13154. You would regard the post of Commissioner as a probationary post?—Not in every case; but giving an extra field to Indians for learning the machinery of administration in higher posts, those that are not in the service.

13155. In answer to question (15) you suggest raising the age-limit for Indian candidates. Is this really necessary, seeing that an Indian who matriculated at the age of 16 could get a degree by the time he was 22?—This has been put in because the difficulty was pointed out to me that certain candidates lost their chances in the Civil Service owing to this new rule of the Calcutta University. I have no personal experience of it myself, but it was mentioned to me.

13156. You made the suggestion then from outside information?—Yes.

13157. In answer to question (35) you say that junior officers are too frequently appointed as Under-Secretaries at head-quarters. How soon do officers get these appointments in Bengal?—I am afraid I have no experience of that; but we very often find that many junior officers would be better employed in the mufassal than by remaining in the Presidency towns as Under-Secretaries. When they have to go back to the mufassal, in the first place they do not like the idea of going back; and, secondly, it takes them some little time to again carry on the work of the mufassal, which is, after all, more important.

13158. You want them to be out in the districts in preference to being at head-quarters?—Yes, I want them to be more in the districts.

13159. In answer to question (44) you say that "the new scheme of the Sadar Subdivisional Officer should be abandoned." What is a Sadar Subdivisional Officer?—It is now being worked out with the relative work of the District Magistrate in his head-quarters. There is to be a Subdivisional Officer as he is in other parts of his district, and the Sadar Subdivisional Officer is generally an experienced Deputy Magistrate. The reason why I put this answer in was this, that in case it was under contemplation to have a service higher than the Provincial Civil Service, something like the old statutory service, it would be better to have all Joint Magistrates, or Assistant Magistrates, and that each head-quarters should have a Joint Magistrate and an Assistant Magistrate, and that the Joint-Magistrate should invariably have charge of the Sadar subdivision.

13160. Sadar meaning head-quarters?—Yes.

13161. In answer to questions (52) to (54), with regard to the Provincial Civil Service, you appear to advocate recruitment partly by open competition and partly by nomination?—Yes, by nomination.

13162. Is that in order to give due representation to different communities?—Yes, and of course there is the invariable complaint about favouritism being shown. Of course, by competition that complaint to a certain extent would disappear.

13163. Do you regard it as important that the various communities should be represented amongst the officers?—I think I have mentioned that point. By communities, if it means different classes, then, of course, a fair proportion is generally fixed by the Government in each province; but that should be done very guardedly, so as not to give rise to the question that one particular community is being favoured at the expense, or cost, of the other. But why I wish the old competitive system to be restored partly in the Provincial Service, is that I think it would put down a great deal of heartburning which does exist among candidates for the Provincial Civil Service now-a-days because it is entirely done by nomination.

13164. Would you retain promotion from the Subordinate Service?—Certainly. I would retain promotion from the Subordinate Service.

13165. (*Lord Ronaldshay.*) I am not quite clear what your opinion is about simultaneous examination, but from your answers I rather understand that you would be opposed to it?—I would only favour it if the proportion were fixed.

13166. If the proportion of Indians were definitely laid down?—Laid down amongst the listed posts. Then for the sake of the Indian I would prefer both simultaneous examination as well as permitting them to appear at the examination in England. I would leave both doors open.

13167. If you lay down a certain proportion for the listed posts, and then you have simultaneous examination in England and in India, would you not run the risk of rather shutting Europeans out of the service?—Not necessarily; because the number of Indians who do pass every year is not so very large in the Civil Service in England.

13168. Do you not think that if simultaneous examinations were started, a very much larger number of Indians would pass?—Quite so. But if the proportion was fixed.

13169. That is the point I was not clear upon. I thought you said the proportion of instead posts must be fixed. Do you mean that the proportion of all the Civil Service posts must be fixed?—Exactly.

13170. I understand. But what do you say the proportion for the whole of the Civil Service posts should be?—There should be a proportion of one-third for Indians, and two-thirds for Europeans.

13171. You say you think that it is desirable that classes and communities should be represented in the service of the country; but that under the present system the Hindu-Moslem question has been rendered acute. In what way has that been done?—In a particular province, now defunct, that question was made very acute by the way recruitments were made to that particular service. The favouritism shewn to Moslems over the heads of Hindus made the question very acute. Therefore, whatever proportion is fixed upon, it should be so fixed on the ground that one man may be a Hindu and the other man a Moslem, because the Moslem is not in all cases able to cope with matters with the same intelligence as the Hindu could do. Therefore, he wants protection. But if it is carried too far, as it was in that province, naturally the Hindu-Moslem question becomes acute.

13172. I suppose Eastern Bengal was the province you referred to?—Yes.

13173. And I suppose you were referring to appointments in the Provincial Service?—Yes, mostly; because in the other appointments it depends upon the candidate that comes out accepting such promotions from the Provincial Service to the Civil Service. There is no other way for class representation into the Civil Service.

13174. I want to be quite clear about your scheme for a new intermediary service. I understand you would like a service intermediary between the present Civil Service and the Provincial Civil Service to fill the listed posts?—What I mean is this, that in the Civil Service supposing one year we want seventy candidates for posts to be filled in the whole of India, and if among those seventy we fix a proportion, a certain percentage will be open for Indians. If you have simultaneous examinations out here my own fear is that even after that examination, if those Indian students go to England, I doubt whether they will be of the same metal as they would be if the examination were held in England, and, consequently, the service will become slightly inferior. That is what I meant by the intermediary service.

13175. You really do not want the formation of a new service?—Not necessarily.

13176. What you meant by an intermediary service was that some of the Indian Civil Service officers themselves would be assigned to listed posts, and so on?—Yes.

13177. I should like to ask you one other question with regard to the present system of recruitment to the Civil Service. I rather gather from your answer to question (1) that you think that at the present time a certain number of rough diamonds, so to speak, get into the service?—Yes.

13178. Do you think that that can be avoided by a system of nomination before the examination takes place: that is to say, would it be an improvement on the present system if the candidate who went up for the competitive examination had to receive a nomination first, say from a Nomination Board?—I think my answer to that is, as I have said, that I have no personal experience as to the mode of recruitment in England. I am not talking of Indians who go to England. I am talking of Europeans who are recruited for the service. Of course in the competitive examination, whoever passes with the highest marks get in, but, whether over or above, admitting the candidate to appear at the competitive examination, some sort of nomination or a Nomination Board, would improve matters. It is very difficult for me to say. Fortunately, my experience has all along been very happy, and very good so far as members of the Indian Civil Service are concerned; but complaints are heard of occasionally, and particularly from old men who say that the old class of Civilians was better in this respect and that respect, and so forth. Therefore I have mentioned that in my reply for the simple reason that it may be enquired into—as to what are the defects, if there are any defects.

13179. Quite so. We are supposed to be enquiring into that?—My answer, I think, is quite clear upon the point, because I have said that I have no personal experience.

13180. I take it from the answer which you have given to me, that you have not yourself come across any Civil Service officers who have been deficient in manners, or character, or anything of that kind?—We meet rough diamonds all the world over; but I do not believe in judging the whole service by one or two men who may have been the better-off had they better manners.

13181. (*Sir Theodore Morison.*) I should like to ask you a general question with regard to the answers in connection with the Provincial Service. Is the Provincial Service considered to be an honourable career for men of good family in Bengal?—Yes, provided, of course, that they are able to cope with the work.

13182. What I mean to say is this. If a distant relation of your own were to enter the Provincial Service, his family would not regret it?—Certainly not.

13183. They would be rather pleased, would they not?—There is no question of pleasure, because now-a-days you find people of very good family going into the Provincial Service because of want and need. To get into Government service is not thought to be derogatory in any way.

13184. Even to get into the Provincial Civil Service?—No: certainly not.

13185. With reference to question (8) you say you would introduce Indians of rank and ability?—Yes.

13186. To what extent, may I ask, does rank and good family count in Bengal at the present day?—Rank does not count simply because a man has pots of money. For instance, a man of good education and culture very often, and rightly, ranks over a wealthy zemindar who may have lots of money. Rank generally counts here by position in society.

13187. Would you find a man who came from a good old Kshatriya family in rank high?—Unfortunately there are no Kshatriya families in Bengal except myself. So that the question of Kshatriya families does not come in.

13188. Have you any caste that would be considered to be of the same standing?—My desire in putting this answer is this, that in England you get men from what is called the "leisured class." Out here there is no inclination on the part of the members of the leisured class to enter public service, or to be of public use. In the ordinary public life they have got great difficulties. An ordinary politician may go to extremes, such as a man of position or rank cannot or dare not do. But in the case of creating a healthy desire on their part to do good to the administration of the country, my desire is that they should get appointments in the same way. For instance, you have given one or two appointments in the Executive Council lately to particular noblemen. In one case, unfortunately, it has not been a success, though people thought it would be. If you had more men of the leisured class who could get into such appointments by nomination you might, in time, get a class of men who would be able to serve in your Executive Councils or take high administrative posts, and do their work well. That is my reply.

13189. I see the advantage of the leisured class, but I want to know if this leisured class can bring anything into the Administration which would be of value. Do they command influence in the country, and in Indian society in Bengal, particularly?—It all depends upon the personal qualities of the men.

13190. It is personal, and does not belong to the class?—That is so.

13191. (*Mr. Chaubal.*) In answer to Lord Ronaldshay I think I understood you to say that when the proportion of one-third and two-thirds is attained, those posts should be put into the listed posts?—I am afraid I do not quite understand what you mean by "listed posts" here.

13192. That is what I was going to clear up. You said that if the proportion of listed posts was fixed, then you have no objection to simultaneous examinations; at least that is what I understood. Surely you do not mean that the persons who come out successfully in the simultaneous examination should get only two-thirds of the salary of the posts, and should not have all the other privileges of the Indian Civil Service? In the listed posts at present, *i.e.*, the posts from the schedule which are left open to the Provincial Service, and which may be filled up by Indians, the holders only get two-thirds of the salary which the Indian Civil Service men get when they come out from England?—I did not mention anything about the salary. My idea was that they should get the appointments.

13193. By the listed posts you do not mean that they should get the same salary as the man in the present listed posts gets?—No.

13194. When you said that the Provincial Service was considered honourable, I take it that you distinguish it from the Imperial Civil Service, do you not? The gentlemen who come out into the Civil Service through the competitive door in England form the Imperial Service, and this is the Provincial Service?—Yes.

13195. Do you like this aspect of the Provincial Service, that, however able and fitted a man may be he can never hope to rise above Rs. 800?—I do not like that aspect if Rs. 800 is going to be the maximum.

13196. But it is?—It is the maximum now, but it cannot always be the maximum. You will have to raise it some time or other.

13197. I am asking about the present Provincial Service. Is not there dissatisfaction in connection with the whole Provincial Service, owing to the fact that it is a service in which it is not open to any man to rise above Rs. 800 as a member of that service?—I should say that there is every possibility of there being discontent.

13198. But do the public like this feature of the present Provincial Service?—I have not heard any very great complaint against that.

13199. (*Mr. Gokhale.*) In reply to question (3), you say, "So far, the Indians that have passed into the Indian Civil Service seem to have been not so successful in district or mufassal work as they have been in their examinations." I have not been able quite to understand your meaning. Will you kindly explain this a little more to me? What is in your mind when you say, that they have not been so successful in district and mufassal work as in their examinations?—I mentioned to the Chairman that, considering they are of the land, and considering they ought to know more of the administration and the customs of the land, they are not the same successes as the average Englishman who is new to the land is, with all his drawbacks.

13200. That is what I want to understand. Do you mean to say that they show ignorance of the customs of the people, or what is the complaint?—I should not like to say that they show ignorance, but very often they show, what you may call, apathy towards the customs. I have very often heard complaints with regard to that. I have, however, no personal experience of it, but I have heard complaints from the adjoining districts to our district, where there have been Indian officers, that they would have been better off if they had had European officers. That complaint may be due to several things. One is, probably, that the Indian officer has not got the courage which he ought to have in doing his administrative work; secondly, he may be inexperienced on the point which I have mentioned in my reply; and, thirdly, it may be a question of his superior officers not being so well disposed towards him as they ought to be. There may be several causes like that; but there is no doubt that this complaint is sometimes heard against an Indian officer.

13201. What I want to get at now is whether the complaint is with regard to their official work, or in connection with their attitude with regard to the customs and ways of the people?—It would be very difficult to say.

13202. You began by saying that they did not show the same knowledge of the customs of the people, that their attitude towards the customs of the people was not the same as that of an Englishman who had just arrived in the country?—Yes.

13203. I want to know whether the complaint is that they allow their reforming tendencies too much scope, and shew contempt towards the customs of the people?—That is partly my meaning. Whether it is pretence or real, I cannot judge, but they very often show the same kind of ignorance which you might expect from the average Englishman when he comes out to India for the first time.

13204. Is it that their sympathies are with social reform, and that they are rather impatient of orthodoxy?—That may be quite possible. All this may go to make up the reason of their not being so successsful as they ought to be.

13205. If it is merely impatience towards orthodoxy, that would be one point; but if it is official, administrative incapacity or inefficiency, that is another point. I want to know what it is that you have in your mind?—I think I have got a little of all these things in my mind.

13206. How many Indian Civilians have you known in Burdwan?—In Burdwan I have known three or four.

13207. Have they been successful?—As I said just now, in Burdwan I have had no complaint of that kind.

13208. So that for the rest it is mere hearsay?—Not quite hearsay. We have also had experience, because we have got property in adjoining districts.

13209. The Chairman put a question to you about the supplementary examination that you propose. You say that the supplementary examination is for the purpose of completing their training. What sort of an examination is it to be? This examination is to be part of their training, as far as I understand your answer here?—Yes.

13210. What is the meaning of that? How is this examination to be a part of their training?—When you have a European coming out to India, he has to pass certain examinations in language and other things; in the same way, in all such points, an Indian member of the Indian Civil Service who might have shown deficiency, or might have shown want of more knowledge, should undergo an examination on those points on which the deficiency has been noticed.

13211. How are you to notice the deficiency unless the man has been working?—I think the members of the service are the best persons to point it out, and not other members who have had personal experience; because a lot of Indian members have been in my district at a time when I was much younger and I was not able to appreciate or otherwise consider their work.

13212. I do not want to labour this point, but I want to know if you have any definite period in your mind during which they should undergo special supplementary training, and when they should be subjected to a separate examination: have you any definite idea in your head?—That all depends upon the kind of subjects that they have to take up.

13213. You do not propose anything definite?—No.

13214. In reply to question (8) you say, "I would introduce the appointment of Indians of rank and ability to the posts of Additional Commissioners, Commissioners, or even Members of the Board of Revenue." Do you think that the expert knowledge which is necessary for these officer could be supplied by non-officials appointed straight away to these posts?—How can you guarantee that expert knowledge can be supplied?

13215. That is a different thing altogether. You know really what portfolios Indian members of the Executive Councils have at present generally throughout the country?—I know that certain departmental work is given to them.

13216. In the first place they have the assistance of a Secretary who is high up in the service; secondly the principal portfolio is Local Self-Government, of which a man acquires experience even outside the ranks of official life; therefore there is not the same difficulty in an Indian member discharging the duties of a Member of the Executive Council that there would be if he were appointed Commissioner, with seven or eight Collectors under him. Is it feasible?—I believe there was such a scheme in Sir Edward Baker's time, that Indians should be appointed as Additional Commissioners.

13217. Additional, by that is meant Commissioners who might learn their work after appointment?—I do not know exactly the details of the scheme, but I know there was such a proposal.

13218. You speak of recruiting the Judicial branch of the service partly from the Bar, and you say you advocate it on the ground that the problem of the educated unemployed requires looking after. Surely if you tackle this question from that standpoint, how many educated unemployed can you employ?—You are after all examining one side of the service in India. There are several services in which the educated unemployed might get employment. We are just now talking about the Judicial Service, and there is no reason why some of them should not get employment in that service.

13219. You think there should be a larger number of Indians employed in the public service?—Yes.

13220. And this is part of them?—Yes.

13221. Do you not approach the question from the standpoint of the employment of Indians from the Bar improving the judiciary?—I believe that question has been very often discussed, both in public bodies and in the press, that experiments should be made as to whether or not members of the Bar make quite as good District Judges as members of the Civil Service.

13222. You have no very clear opinion upon that subject, whether members of the Bar would or would not make better Judges than members of the Civil Service?—I have no personal experience as to that.

13223. And you have formed no personal opinion?—My personal opinion is that a start should be made.

13224. (*Mr. Sly.*) I think, perhaps, some confusion has been caused in your evidence by the use of the term "listed posts." Will you kindly explain to us in what sense you use that term; what you mean by "listed posts" in your evidence?—I mean all the posts open to the Civil Service according to the Statute.

13225. In fact, you mean the posts scheduled for the Indian Civil Service?—Yes.

13226. (*Mr. Madge.*) In answer to question (1) you say that the present system does not always attract the best class of Englishmen competing for it. Do you mean that because the system, while testing intellectual capacity, does not test character? Or, may you also mean that the attractions of the Indian service, and work in India generally in all professions, are lessening?—I have already answered this question by saying that I have no personal experience of this matter beyond the fact that complaint is heard of at times that the same class of men very often do not come out to India as of old. Why that complaint is made I have suggested should be enquired into. As I have not any personal experience, I am afraid my answer must be the same as I have already given to one of the members of the Commission.

13227. I do not think I have fully explained the point of my question. You have large experience amongst all classes in this country. One hears amongst merchants and others that the attractions of India are getting less to Englishmen generally: have you any opinion upon that subject?—I think it is quite possible that may be one of the reasons.

13228. It would react upon all Civil Servants, and others, alike?—Yes.

13229. In answer to question (3) taken in connection with your recommendations for probationary periods, I should like to know whether in your opinion this condition or improvement would come better from observation later in life or earlier in life, during the more impressionable period of a man's life?—I think at the beginning; the more impressionable period of a man's life.

13230. In answer to question (8), you say that the Government ought to have an eye on the representation of all the communities. Would you include the domiciled Anglo-Indian also; they are small in number, but they are not altogether negligible?—I do not know in what way the domiciled European community is represented, so that I cannot very well speak as to the ratio according to which it ought to be represented.

13231. I did not mean to ask any definite ratio, but where there is representation of all classes of the community, do you, or do you not, think that domiciled Europeans and Anglo-Indians should have a share, whatever that share may be?—I would rather not answer that.

13232. As regards the separation of the Executive from the Judicial office, you have already been asked a question as to the reason you have given for it, but I should like to know whether, in your opinion, the experience that every Civilian acquires in the early period of his career is not valuable to him both in Executive and Judicial Service?—I think a great number of Civilians who have entered the Judicial Service have been ornaments to that service; but what my answer applies to is that a start should be made by recruiting men for the Judicial Service, from the Bar.

13233. But what I asked was, whether during the earlier period of his career every Civilian, as an Executive officer, does not acquire valuable experience of the country, its ways, its people, and so forth, that comes of use to him subsequently, should he elect a judicial career?—I think all general experience that he gains of the country would become of value to him, whatever career he may choose in life afterwards.

13234. Do you think that a Civilian Judge, for instance, promoted to the Sessions, could altogether dispense with the valuable knowledge that he acquires earlier in his life as Assistant Magistrate or Joint Magistrate during his executive career: could he drop it altogether and yet be the same useful officer?—I have not been a Judicial officer in the Executive branch of the service myself, so I am afraid my answer must be want of experience.

13235. Looking generally at the service which the public officer owes to the country, from what standard would you look at it, from that of a comparatively small educated class, or from the point of view of the interests of the great masses? A public officer views his duties from one standard or another: do you think he should consider the claims of the comparatively small educated class, or rather those, as I understand them, of the great masses, generally even though they are voiceless?—I do not quite see the relevancy of this question to the administration, because administration has to be carried out on lines well defined, and in carrying out an administration, whether in the Judicial or the

Executive Service, no doubt any sensible officer would try and respect the feelings of the general public as far as it lay within his power, whether the general public represented a small proportion of the educated community or of the general masses, who, as you say, are voiceless.

13236. What I mean is this. A Civilian gathers certain knowledge of the people during the earlier portion of his career; he may find one class quite voiceless, and another more articulate, and he may form an idea as to whether their interests all run in the same direction, or are partly opposed to one another: supposing them not to run in exactly the same direction, would he rather be guided by the needs, as he understood them, of the great body of the people, or of the more articulate class?—In political matters he would, no doubt, have to be guided by the more articulate class; but in matters of general administration I think he would have to be guided by the greater number of people who are under his charge.

13237. In answer to a previous question you have touched upon the subject of tapping the influential classes. The Statutory Civil Service is supposed to have failed, because the right selections were not made. Do you think that the system was wrong, or that the selections were not of the happiest?—I have not experience of the selections of the old Statutory Civil Service.

13238. Do you think such a system, if worked with careful selection,—from men of influential families—would work any better than it has done before?—I understand that the Statutory Civil Service is no longer in existence.

13239. But supposing it was revived?—I do not see the necessity of reviving it.

13240. You have an opinion of your own as to the desirability of preserving the British tone in the administration in years to come?—Certainly.

13241. Do you think that you depend upon the progress of the machinery of the administration, or on the personality of the officers working it?—I think, combined.

13242. Neither more than the other?—The machinery probably is all right; but the machinery is very often upset by the man who is in charge of the machinery.

13243. Then you would probably think that the personality of the man was more influential than the other?—I think that is always the case all over the world in everything.

13244. (*Mr. Abdur Rahim.*) You are a zemindar in Western Bengal?—Yes.

13245. Have you had much experience of Muhammadan officers in the Provincial Service in your district?—Yes, I have had experience of Deputy Magistrates. I do not remember any Muhammadan Munsifs, but I have heard of Muhammadan Deputy Magistrates.

13246. What opinion have you formed of them?—A good number of those who have been there have been quite good officers.

13247. You tell us that in Eastern Bengal the Muhammadans were favoured at the expense of Hindus?—Yes.

13248. Have you any personal experience of that?—No.

13249. That was the cry that was raised?—Yes, that was the cry that was raised, and the effects of it are still to be found, I think, in the province.

13250. That was one reason why the partition was modified, is it not?—Has the partition been modified?

13251. I suppose you know that Eastern Bengal and Western Bengal have been combined?—It may not be a modification.

13252. Call it what you will; but that was one of the strongest reasons urged against the partition?—I do not think it was a strong reason urged against the partition alone, but it was one of the reasons that kept up an unfortunate state of affairs in Eastern Bengal, and this complaint was among the people in Eastern Bengal, and not among the people who agitated for the partition, among the people in Calcutta for instance.

13253. Do you know Muhammadan officers who have been appointed in Eastern Bengal?—No.

13254. Whether they are competent or not?—I have not been to Eastern Bengal myself, so that I am unable to say.

13255. You cannot from your own knowledge say whether incompetent Muhammadans were appointed?—No.

13256. You will agree with me that Muhammadans do not think they were unduly favoured?—I think the Muhammadans behaved very well, because on account of the favour which was shown to them they might have taken more advantage of it than they did. I think they are more satisfied.

13257. At any rate they did not think that they were unduly favoured?—I do not suppose any person who is favoured ever thinks that he is unduly favoured.

13258. It was the cry of the other side?—Most likely the other side had reason to complain.

13259. I suppose you know that in the earlier days of the British settlement there were a very large number of Muhammadan officers?—Yes.

13260. The greater majority of them were Muhammadans?—Yes.

13261. And it was they who helped in organizing the administration of Bengal?—There may be differences of opinion upon that subject.

13262. They were employed largely in administration there?—No doubt they were employed, but whether they helped to build up that administration there may be differences of opinion,—in Calcutta.

13263. You know in those days, whether there were Hindu or Muhammadan officers, the business was carried on in Urdu or Persian, was it not?—Yes.

13264. And that when English was introduced for the first time, a clean sweep was made of the Muhammadan officers?—It may have been done.

13265. You know that in Burdwan, your own district, that happened?—Yes.

13266. Do you not think it would be very unfortunate if any system is introduced, which will again have the same effect of making a clean sweep of the Muhammadans from the Government service?—Certainly. I am all for the protection of Muhammadans in the service.

13267. You would consider that a very unfortunate thing?—Yes.

13268. (*Sir Valentine Chirol.*) I understand from your answer to question (8), that you wish to see opportunities given to members of a class which has a considerable stake in the country, but which has at present very little share in the administration, or little chance of gaining experience in the administration of the country?—Exactly.

13269. Do you think that the present system of recruitment in the Indian Civil Service by competition alone leads to the representation in the administration of the country of all classes that have a stake in the country?—You mean the members of the Civil Service.

13270. Do you think that the system of competition in the Civil Service is calculated to give all classes of the community the representation they should have in the administration of the country?—There are so very few of the Indians that go into the Civil Service.

13271. I was asking you, in principle, do you think that a system of open competition carried out whether in England or in India is calculated at present to give a due representation to all classes of the community that have interests in the country?—I do not think so.

13272. You do not think so?—No.

13273. Yet it is calculated to give very large representation to what are called the educated classes in India?—Yes.

13274. Do you think that what are called the educated classes in India represent fully all the classes that have an interest in the administration of the country?—Every class is represented, but certain classes preponderate owing to their intelligence and activity.

13275. You can foresee that there are interests in the country which are not fully represented by what is called the public opinion of the educated classes: would you say that all the interests of the different classes of Indian society are fully and equally represented by the public opinion which is commonly called the opinion of the educated classes?—Not always.

13276. (*Sir Murray Hammick.*) I should like to ask you whether you think, from what you have seen in Bengal of the social status of the Indian Civilian who comes out from England, that the esteem in which he is held differs very much from the esteem in which officers of the Provincial Service are held?—Yes.

13277. You think that Indian officers who come out take a distinctly superior position to that which is held by officers of the Provincial Service?—Yes.

13278. In reply to question (2) you suggest that certain means should be taken for introducing non-officials into the higher posts in order to qualify them for becoming Members of the Executive Council. I should like to ask you whether you would desire to see the Members of the Executive Council, as a rule, taken from the Indian officers of the Civil Service, or whether you would like to see, as happens now, those appointments filled from outside?—I should like to see them filled from outside.

13279. You would not like to see those appointments left to the Indian Civil Service?—No.

13280. In answer to question (12) you say that the present Statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1871 (33 Vict., c. 3), may undergo some change. Why do you wish to exclude all mixed Europeans of Indian descent and Anglo-Indians who have established themselves in this country for good, from the benefits of that Statute?—Because at present in the Indian Civil Service there are not so many Indians who get in, and if in the Provincial Civil Service, too, a ratio goes out to others, it is not quite fair to Indians of pure descent.

13281. You think that the Indian element is sufficiently represented under ordinary conditions, and that it does not need to be assisted by the Secretary of State under this Statute of Victoria of 1870?—Yes.

13282. It is not because you think that these people are unfitted to take the posts, but it is because you think they are already properly represented?—That is so.

13283. (*Mr. Bompas*). With regard to your reply to question (8), you, I believe, take an active part in the administration of your estates?—Yes.

13284. A zemindar who does that is brought into contact with all branches of the administration in the mufassal, is he not?—Certain branches, certainly; a great number.

13285. He must know a good deal about the way in which they are worked?—Yes.

13286. And now that landholders are represented on the Legislative Council, it is not because the landholder who serves on that Council gets a certain amount of experience in the way of legislation and the way in which questions are looked at from the Government point of view?—Yes.

13287. And are not those a very fair training for a man who becomes a Member of the Executive Council?—I want it additional because that is always sufficient. Executive Councils have only just begun to work, and the landlords' special representation is a new thing. It will take some time before landlords get experience or take full advantage of it.

13288. There is a good deal of litigation, is there not, connected with all zamindaris in Bengal You must have a good many cases always going on in the mufsasal courts?—Yes.

13289. Have you any feeling of distrust if your cases come, originally or on appeal, before a Civilian Judge?—No.

13290. You said that in some of the districts adjoining Burdwan, Indian officials had not been so successful as might have been expected?—Yes, that is so.

13291. Were you thinking chiefly of Indian members of the Indian Civil Service or officers promoted from the Provincial Civil Service, or Statutory Civilians?—Both, but mostly the latter.

13292. (*Mr. Mukherji.*) With reference to the Provincial Civil Service question (56), do you know the proportion of posts above Rs. 500 among the Deputy Magistates who number 300?—No, I do not

13293. When I tell you that the number of posts above Rs. 500, that is Rs. 600, or Rs. 700 or Rs. 1,000, is only 9·3, (less than 10) per cent. of the entire service, would you still adhere to your opinion that no complaint is made?—Complaint is very often made, as I have said, in the first two grades mostly. If that be the percentage, no doubt there would be every ground for complaint thereto

13294. With reference to your answer to question (60), regarding the existing rates of pay, the highest pay, as you know, is Rs. 800?—Yes.

13295. But the highest pay of the Superintendent of Police is Rs. 1,200, of the Executive Engineer Rs. 1,250, and even of the Subordinate Judge Rs. 1,000. Do you not think that the pay is too small to be the highest pay of this service?—I have no personal experience of that. As I said in reply to a question by one of the other members, whether Rs. 800 is the ideal maximum now-a-days, or not, it is difficult for me to say.

13296. (*Mr. Sen.*) Do you remember that there was a debate in the Bengal Legislative Council in August or September 1910, when the Hon'ble Dr. Deba Prosad Sarbadhikary recommended to the Local Government that the question of improving the pay and status of the Provincial Judicial Service might be taken into consideration?—Yes.

13297. In the course of that debate you said that the Hon'ble Doctor had made out a very strong case for the Provincial Judicial Service?—Yes.

13298. In answer to question (47) you say: "The promotion from Subordinate Judges to District Judges, or from Deputy Magistrates to District Magistrates, is of rare occurrence, and the percentage should, in my opinion, be raised a little higher, for it is very disheartening to many deserving officers." By this do I understand you to say that the present number of listed posts, namely eight, open to members of the Provincial Service, Judicial and Executive, should be increased?—What I meant by that is not the actual raising of the number of posts open according to the listed posts. You have mentioned the encouraging of those that deserve promotion, that is to say in the Provincial Service. A Deputy Magistrate in the first grade has to retire at Rs 800, and a Subordinate Judge has to retire at Rs. 1,000. Very often there are deserving Deputy Magistrates and Subordinate Judges who deserve promotion in the highest service, and for them the ratio at present existing about promotion might be raised.

13299. The present number is, as I pointed out, eight, so that these eight posts are already filled up?—Yes.

13300. And do you think that the number should be increased, or not?—I should say that not only should the numbers be increased, but that there should be quicker promotion too.

13301. In answer to question (56) you say: "As far as the Executive Branch is concerned hardly any complaint is heard of. The number of Judicial officers, especially the Munsifs, may require increasing a little." Is that because they are a very over-worked class of officers?—Yes; the Munsifs are very often over-worked.

13302. In reply to question (60) you say "I have nothing to say against the existing rates of pay, but the promotion beyond the last two grades is very slow, and consequently very much discouraging to competent men. This should be expedited by all means." From this do I understand that you recommend a general reorganization of the existing grades of both Provincial, Judicial and Executive officers, and that there should be an increase of salary in all the grades?—Not simply an increase of salary, but very often there is a block, and a lot of energetic and competent officers do not get promotion.

13303. You recommend a revision of the grades so that the numbers may be increased, and that promotion may be quicker than at present?—I do not think it will be entirely on revision. I think it will be on the point of a lot of people sticking who ought to retire.

(The witness withdrew).

AMRITALAL MUKHERJI, ESQ., Officiating Magistrate and Collector, Birbhum.

Written answers relating to the Provincial Civil Service.

13304. (1) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—These conditions are suitable so far as the Executive branch is concerned.

13305. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—These rules are suitable so far as the Executive branch is concerned.

13306. (3) Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—It appears from the Civil List corrected up to 1st October 1912 that there are at present altogether 296 Deputy Magistrates and Deputy Collectors; the number shown in Appendix B is 299. The number of officers in the 2nd, 3rd, 4th, 5th and 6th grades is less than the sanctioned number, while the number of officers in the lowest grade is 101 against the sanctioned strength of 79. The discrepancies are, however, expected to be made good at the time of the next promotions to different grades.

13307. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—I think that the present method of recruitment, so far as the Executive branch is concerned, is most satisfactory. For direct recruitment I recommend nomination.

13308. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do not consider that only residents of the province should ordinarily be recruited? The number of non-residents of the province employed in our Provincial Civil Service (Executive branch) is very small?—I consider that only residents of the province should ordinarily be recruited.

13309. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All classes and communities are not duly represented in our Provincial Civil Service (Executive branch). I do not consider it desirable at the sacrifice of efficiency.

13310. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The system of training and probation adopted for officers of the Provincial Civil Service (Executive branch) is that the Probationary Deputy Magistrates and Deputy Collectors are placed under Magistrates and Collectors to learn work (both revenue and criminal). The success of the system depends mainly upon what attention a Collector can pay to probationary officers under him. The system is satisfactory so far, but I would recommend that the probationary officers should work for some fixed period of time with the Public Prosecutors to learn criminal work.

13311. (10) Is the existing system of departmental examinations suitable; and, if not, what changes do you recommend?—It is suitable.

13312. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

13313 (12) What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The strength of the Executive branch of our Provincial Civil Service is based upon the estimate of requirements made by the Government of Bengal. I consider it satisfactory.

13314. (14) Is there any reserve for officers under training and is it adequate?—There is no reserve for officers under training. Officers are seldom put under training.

13315. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—The annual rate of recruitment is 12. It is fixed by an estimate of requirements made by the Government of Bengal. It has worked well in practice and secures a fairly even flow of promotion.

13316. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The system of selection for appointment to higher grades (of Rs. 500 and above) by approved merit combined with seniority is, as a rule, enforced. No change of practice is required in this respect.

13317. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled and I have no suggestion to make regarding it.

13318. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable; and, if so, in what direction?—The officers of the Executive branch of our Provincial Service do judicial (criminal) work as well as revenue work, besides a certain amount of out-door work in connection with revenue work; but the officers of the Judicial branch do only judicial work and absolutely no out-door work. I do not think, however, that any change is desirable.

13319. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I am satisfied with the existing arrangements by which certain posts, ordinarily filled up by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and the system followed in making appointments to these posts is suitable.

13320. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Yes.

13321. (21) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Yes.

13322. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I do.

13323. (23) When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The last general reorganization of the Provincial Civil Service was effected in 1892, when a number of appointments ordinarily reserved for members of the Indian Civil Service was thrown open to the Provincial Civil Service (both branches). Prospects were greatly improved, really meritorious officers were made eligible for listed posts, and promotions in the lower grades were facilitated.

13324. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes.

13325. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am not satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service (Executive branch). There should be officiating promotions, and acting allowances should be given to officers so promoted.

13326. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am in favour of the substitution of a time-scale of salary for the existing graded system of promotion. It should, however, be restricted to the lower grades of the service.

13327. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—I recommend the following kind of time-scale of pay:—

Years of approved service.	Rs.
1, 2, 3 (commencing from the date on which departmental examinations are completely passed) ...	250
3, 4, 5, 6	300
7, 8, 9, 10	400

Promotions to higher grades will be by approved meritorious service combined with seniority. Officers enjoying time-scale of pay will not get any charge allowances. The scale of pay of the Executive and Judicial branches of the service should be equalized in the lower grades to which the time-scale of pay is to apply. In Bengal the last grade of the Judicial branch on Rs. 200 should be abolished, as has been done in the case of the Executive branch.

13328. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—I do.

13329. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—There is reason to suppose that officers of the Provincial Civil Service (Executive branch) take more privilege leave combined with furlough. This is partly due to the fact that furlough to a certain extent after a certain length of service counts towards pension, and partly to better ideas of personal health and comfort.

13330. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service; and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—All the leave on full pay due to them is ordinarily taken by officers, except when they are holding special posts or are in healthy stations when they are naturally averse to run the risk of a change for the worse.

13331. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—All the furlough due to them is not ordinarily taken by officers of the Provincial Civil Service (Executive branch). It is, however, necessary to allow for as much furlough as is permissible by the present rules. It is a privilege which is highly valued.

13332. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates of furlough allowances are suitable, except for the fact that no minimum is fixed for half average salary. It should be fixed at Rs. 250 if paid in India, and £300 if paid at the Home Treasury.

13333. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The maximum limits of leave allowances at present fixed are suitable But no minimum limits appear to have been fixed. They might with advantage be fixed at half the maximum limits.

13334. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—I have no recommendations to make in regard to special leave, extraordinary leave without allowances and other forms of leave. I consider that the present conditions governing these kinds of leave are suitable. The leave allowances appear also to be suitable subject to the recommendation made in answer to questions (34) and (35).

13335. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration; and, if so, what; and what remedy do you suggest?—The present leave rules applicable to the Provincial Civil Service (executive branch) cause some inconvenience to the administration in that it brings about frequent transfers of officers. The remedy I suggest is that each district should have at least one officer more than its sanctioned strength.

13336. (38) In particular, are they a contributory cause of excessive transfers of officers; and, if so, how can this difficulty be met?—They are a contributory cause of excessive transfers of officers, and this difficulty can be met by the remedy proposed in answer to question (37).

13337. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service; and, if so, in what respects?—I do not think that the present leave rules press hardly on officers of the Provincial Civil Service (Executive branch).

13338. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes.

13339. (41) Have you any suggestions to make in favour of any modifications in its detailed working; and, if so, what, and for what reasons?—I have only one suggestion to make in favour of modifications in its detailed working. It is this. The condition (*a*), article 375 of the Civil Service Regulations, should be modified, and one year's continuous probationary or officiating service should be substituted for two years' such service.

13340. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence?—I do not.

13341. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I do not approve of the present system regulating the pensions of officers of the Provincial Civil Service (both branches) holding listed posts. The maximum limit of pension for these officers should be fixed at Rs. 500 a month, or half the average salary, whichever is less.

13342. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory?—I consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory.

13343. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Members of the Provincial Civil Service (executive branch) generally subscribe for the benefit of their families to the Government General Provident Fund or to the Hindu Family Annuity Fund, excepting those who have insured their lives in the Postal or other Insurance offices. No further facilities appear to be required.

13344. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am satisfied with the existing organization of the Provincial Civil Service.

MR. AMRITALAL MUKHERJI called and examined.

13345. (*Chairman.*) You are officiating as District Magistrate and Collector of Birbhum?—Yes.

13346. Are you an officer who has been promoted to a listed post?—Yes.

13347. How many years have you occupied that position?—About a year.

13348. What position did you occupy before?—I was in the fourth grade of Deputy Magistrates and Deputy Collectors.

13349. I notice that, generally speaking, you are satisfied with the present organization of the Judicial Civil Service, but that you suggest certain changes?—Yes.

13350. From your reply to question (37), I understand that you would like to see an increase in the strength of the cadre?—Yes, I would.

13351. What is your reason for making that proposal?—So that there might be one officer more. If an officer goes away on leave there need not be any transfer.

13352. It would save transfers, you mean?—Yes.

13353. You would suggest an improvement in the scale of pensions?—Yes, I would.

13354. You have not worked out any scheme, have you?—No.

13355. You make a general observation in that direction?—Yes.

13356. In answer to question (25), you say that you recommend the grant of acting pay to officers who have no change of duties? If they have no change of duties, on what ground do you make that proposal?—They do the same work as the officer on leave. The men who officiate generally do the same work as the work that is done by the officers for whom they are officiating.

13357. You would confine increased pay to those who are put in to do the work of officers who have gone on leave?—Yes.

13358. (*Sir Murray Hammick.*) You say that you have been in a listed post for one year?—Yes, for about a year.

13359. Can you tell me how many officers there are in the Provincial Service above you? I see you are in the fourth grade. About how many officers are there in the third, second and first grades?—About thirty officers.

13360. I suppose you have been appointed to the listed service by selection not merely because you are the next officer for it?—I suppose so.

13361. There are a good many officers above you who are still holding Provincial Service appointments, are there not?—Yes.

13362. And you were selected especially for this appointment?—Yes, I suppose so.

13363. What district were you in before you went to Birbhum?—Municipal Magistrate in Calcutta.

13364. I should like to clear up the question with regard to officiating pay. Do you know why it is that Indian Civilians get officiating pay when one man goes on leave, and another man steps in and gets the allowance?—Do you know any special reason for that? I am not aware of any special reason.

13365. There is a special reason, but you do not know of it. What you want is that that system which exists in the Indian Civil Service should be extended to the Deputy Collectors' grade?—Yes.

13366. What you mean is that, supposing a fourth grade officer gets promotion, or takes furlough, and supposing a fifth grade officer is put into the fourth grade, you would like him to get the allowances while the other man is on furlough?—Yes.

13367. He may be doing the same work, he may not move his station, but he goes into the fourth grade and according to what you think, he ought to get the pay?—Yes.

13368. Owing to the vacancy caused by the man who has gone on leave?—Yes.

13369. (*Mr. Abdur Rahim.*) There is a strong public opinion in Bengal in favour of the separation of executive and judicial, is there not?—I find it in the papers.

13370. Public opinion is not confined to the papers?—It is a very difficult question to answer. If public opinion is to be found out in the papers, that is so.

13371. So far as you have the means of judging of that opinion?—I think there is a difference of opinion.

13372. What is the special advantage which you find in this combination?—I think it does a great deal of good to the poor and helpless people.

13373. What has the combination of the executive and judicial functions to do with the poor people?—In this way. The poor people of the country cannot have their grievances brought forth in the public press, or before the public men. It remains to the Magistrate to find out what the grievances are on the spot. To the greatest extent the combination of the judicial and executive functions helps the Magistrate in giving relief to the poor.

13374. I fail to understand what you mean. Will you kindly explain more fully in what way the combination of these two functions enables Magistrates to give relief to the poor?—It gives the Magistrate more control. It gives greater weight to the advice and instructions of the Magistrate than it otherwise would have.

13375. Instructions to whom?—To the people.

13376. What instructions has a Magistrate to give to the people?—I can give you a concrete example. A Magistrate goes and finds that the underlings of the zemindar are oppressing the poor people, but the poor people cannot afford to come to court and have their grievance repressed by the public courts. If the Magistrate proceeds tactfully and tackles the zemindar and sees that the underlings do not oppress the poor in this way, I think that will achieve a great amount of good for the poor.

13377. How does the combination help him to do it better than he would do it otherwise?—In this way. The persons who are responsible for this high-handedness know that if they do not listen to the words of the Magistrate, probably they may be proceeded against and some unpleasant results may happen.

13378. Proceeded against him in what way?—According to law.

13379. But that anybody can do. I suppose if a zemindar does anything wrong, which is against the Penal Code, he can be proceeded against?—But it is very difficult to secure evidence to get the wrong-doers punished.

13380. You mean, then, not to proceed according to the law, but against the law?—Not at all. It is the fear of unpleasant consequences which might induce them to pay better respect to the law than they otherwise would do.

13381. The fear of unpleasant consequences, not brought about by any legal steps, but by measures otherwise than legal?—I believe it is not illegal to ask a zemindar to see that his underlings do not oppress the poor people.

13382. This combination does not help him to do it any better than if there was no such combination?—In this way, that the people would listen with greater respect to the Magistrate so long as the judicial and the executive are combined.

13383. What you really mean is that the District Officer being a Magistrate is in a better position to inspire fear of the law under the present state of things?—He can inspire fear for the law.

13384. (*Mr. Madge.*) May I understand what you mean in this way, that the Judge and the Magistrate are both governing a district and trying to set right wrong as much as they can, and that the Magistrate in his executive capacity acquires, by moving about amongst the people, a knowledge of the people, and of their surroundings, that a purely Judicial officer does not acquire by sitting at the head-quarters. Is that anything like what you mean?—Exactly.

13385. (*Mr. Macdonald.*) With reference to the answers you have given to the questions about furlough, and other forms of leave, could you tell me how often you take holidays?—I seldom take holidays.

13386. I understand you to say that you certainly do not take official ones in three or four years?—That is so, not official ones.

13387. Why do you not take holidays oftener?—Because it is not convenient for them to take short holidays and to leave the place. That means a good deal of expenditure of money.

13388. You say "them." Who are the "them"?—The members of the service.

13389. Is not your pay fixed in such a way as to assume that a certain amount of it can be laid by for holidays?—I do not think so.

13390. I think you say in answer to one of the questions that when privilege leave is asked for, it is sometimes refused?—Yes.

13391. When it is refused, could you tell me why?—Sometimes on account of the paucity of officers to be spared; because there are no officers that can be spared to relieve him. In a district where there are more officers than are absolutely necessary for the disposal of work, it is easier for an officer to go on leave; but if an officer has to be sent by Government, to relieve him it takes a long time, and often the leave has got to be put off.

13392. Does your statement amount to this, that the Provincial Service staff in many places is inadequate to afford leave-time for the officers?—Yes, I have suggested in answer to question (37) that there should be at least one officer more than is sanctioned.

13393. You would want as many as one officer more?—Yes.

13394. Do you find that the lack of holiday is a serious impediment to the doing of work?—Not a serious impediment; but it would be better if the officers got rest now and then.

13395. If they got just an ordinary holiday in the same way as European business people get?—Yes. That would be more conducive to their health and comfort.

13396. Would you prefer a short holiday every year to the power to accumulate until you got a good accumulation, and then go away from your work altogether?—I think that would be more suitable to us.

13397. You would like to get away altogether for a long period?—Yes.

13398. Is that good for the service?—It is good for the service.

13399. (*Mr. Sly.*) You know that the Provincial Civil Service was reorganized about 1899, was it not?—Yes.

13400. Did not that reorganization include a specific leave reserve in the service?—I do not find any leave reserve in the Civil List as I do in the case of members of the Indian Civil Service.

13401. There is a leave reserve exactly on the same basis as it is in the Indian Civil Service?—I am not aware of it.

13402. What I want to ask you is whether cases in which leave has been refused have occurred as frequently since that reorganization as they did before?—No. At present leave is more easily obtained than it was previously.

13403. In answer to question (41), I see you have made a complaint because the probationary service does not account for pension?—Yes, I have suggested that it should be reduced in that case.

13404. Is it not the case that before the reorganization of 1899 an officer had to put in, on an average, eight years' officiating service before he was confirmed?—I was confirmed after a service of two years and a few months.

13405. I believe statistics show that the average was more or less eight years before that reorganization?—I think officers were confirmed shortly after they had passed their departmental examinations completely.

13406. But they were officiating for a longer period before they got confirmed?—I do not think so; not so long as that.

13407. You wish that the whole of the probationary service should count?—Only one year should be excluded.

13408. You refer in question (45) to the Hindu Family Annuity Fund? That, I believe, is a private fund to which the Government gives certain special facilities for the collection of subscriptions?—Yes.

13409. Can you please tell us what proportion of the service subscribes to that fund in your experience?—I guess it to be about 10 per cent. of the Hindu members of the Provincial Service.

13410. Do you consider that that fund gives all the facilities that are necessary for family pensions?—No.

13411. Then what would you desire in addition, for you have said that there are no further facilities required?—I think the Government General Provident Fund, to some extent, supplies the place of other funds.

13412. And you do not desire any other funds?—I do not desire.

13413. So far as you know, there is no general demand in the service for any Family Pension Fund?—No, there is no general demand in the service.

13414. (*Mr. Gokhale.*) You defend the present combination of the judicial and executive functions on the ground that it enables the district officer to help the poor?—Yes.

13415. Will you kindly enlighten me a little more on the point by telling me how exactly this happens?—May I give you a concrete example?

13416. You gave one; give it again if you like?—When I took charge of the district of Birbhum I found the food-stuffs to be very bad, most obnoxious—especially *ghee*. I myself inspected the most important markets from which *ghee* was supplied to the interior of the district and found that the stuff was as bad as anything: in fact it was not *ghee* at all, it was fat of the worst sort. I explained to the people who were dealing in *ghee* that it would be most unreasonable to injure the health of the people in that way, and they were liable to prosecution under the Penal Code. They held a meeting and said that they would destroy all the *ghee*: in fact, they destroyed about two thousand rupees worth of the stuff which they called *ghee*, and said they would not sell such *ghee* any more, and their example was followed by other importers, and the importers of other food-stuffs throughout the districts. I do not think that I could have effected this improvement in a short time if the executive and judicial functions were not combined, not that I wanted to prosecute them, but they knew they were liable to prosecution, if the desire was not given effect to.

13417. I see your point. But suppose you had no magisterial functions, and you were merely a District Officer and you had gone there, held a meeting, explained the law to the men concerned, and had told them that, unless they put the matter right, you would set the law in motion,—of course not yourself try the case, or yourself exercise magisterial functions, but set the law in motion, in the regular way—would not that have been effective?—Not at all; they would have gone to a lawyer and taken advice and probably would have got any amount of expert evidence and they would have expected success.

13418. That means that, on account of this combination of executive and judicial functions, any legal remedy that they might otherwise have attempted was practically denied to them?—Not at all, because they did it of their own accord.

13419. But they did it because of the fear that you were there, and you had advised a certain course and if they did not follow that course they would be punished. That is what it comes to?—No, but the fear of consequences.

13420. Fear of consequences—at your hands?—Not at all. I would not have tried the case.

13421. But the fear was that you possessed magisterial powers and you had given them that advice?—Most likely the case would have been transferred to another district, because I was the investigating officer.

13422. But then why do you want magisterial functions for merely advising the people?—It is the feeling of the people.

13423. Analysing that feeling further, does it not come to this, that they felt that if they did not accept your advice you would see that they were punished because you had magisterial functions? If they were to be tried by another Magistrate, how would your magisterial functions help you in this matter?—Whether my magisterial functions would help me or not, is not the point. The point is that the people know that there is a District Magistrate who should be listened to, because he has the right to help them always.

13424. Now, stick to the point please. What would happen if the magisterial functions were taken away from you?—Most probably, they would not have listened to my advice.

13425. They would not have listened to your advice because you had no magisterial functions?—Yes.

13426. That is, because of the fear of this power in you they would do a thing which you advised them to do and which they would not otherwise do?—It is the fear of the unpleasant consequences.

13427. If you had not your magisterial functions, but as a matter of fact, set the law in motion against them, the consequences would have been unpleasant to them, if they had been guilty?—Yes, it would have been equally unpleasant to them.

13428. Whether the trial had been before you, or anybody else, the fact that you had magisterial functions results in their being afraid of you, which again results in their being denied the protection of the law really?—They are not afraid of me so much as afraid of consequences of the prosecution.

13429. Have not you heard of the abuses resulting from this combination?—I have heard.

13430. Does it not come to this ultimately that the present combination gives opportunities to officers to put what may be called improper pressure on the people—even if the result is good?—I have heard of cases.

13431. Even in a case like this, supposing the *ghee* destruction was necessary and desirable, you could put pressure upon them simply owing to your magisterial functions?—Beg your pardon; I did not put pressure upon them. I called all the *ghee* vendors and *ghee* importers together and appealed to their feelings—most of them are Marwari Hindus—just to find out whether this *ghee* was not bad.

13432. I understand that point. But what had they in their mind—why did they do, when you had the magisterial functions, that which you feared they would not do, if you had not the magisterial functions, the law of the land being the same?—Probably they thought that if they did not do what they ought to do in this matter, they would be criminally prosecuted.

13433. But you could have had them prosecuted criminally even if you have not the magisterial functions yourself?—I could have them convicted as the stuff was as bad as could be imagined.

13434. Then, how has this combination helped you—except that there was a fear in their minds which was improper?—Because prosecution would have meant ruin to them.

13435. If men prefer to be prosecuted, while having the protection of legal advice, why should you take it upon yourself to care for their interests better than they do themselves?—I do not see how a man would prefer to be prosecuted unless legally advised to do so.

13436. (*Mr. Chaubal.*) As fourth-grade Deputy Collector, what was your salary?—Rupees 500.

13437. Thirty officers above you were drawing salaries above Rs. 500?—Yes.

13438. I suppose it is a rule that promotion to grades above Rs. 500 goes by selection?—Above Rs. 400, I suppose.

13439. Above Rs. 400 or Rs. 500 it goes by selection?—Yes.

13440. Therefore one may take it that the 30 persons above you who were getting Rs. 500 and above had been previously selected as fitting men who deserved to be promoted to higher grades?—I think so.

13441. Now you say that the present system of recruitment to the listed posts is very satisfactory; you say that in your answer?—Yes.

13442. Suppose any of those gentlemen whom you superseded were asked as to what was their opinion about this system of recruitment, what would be their reply?—I cannot say what their reply would be. When I was superseded by a junior officer it never occurred to me that I was superseded, but I thought that he was a fitter person than I was.

13443. You think any of the 30 would, if asked, say that the system of recruitment is very satisfactory?—I am not in their confidence; I cannot say what they would say.

13444. Then there is another question, and it is this: you say there are 299 Deputy Collectors—are there not? You said 296; and you correct it by saying it is 299?—Yes.

13445. In your province, between the Provincial Judicial and the Provincial Executive there are eight listed posts, are there not?—I suppose so.

13446. Can you tell me how many of these eight are generally allotted to the Judicial branch and how many to the Executive branch?—I do not know the exact number, but I think a larger proportion goes to the Judicial branch.

13447. But what is it—4 and 4, or 3 and 5, or 1 and 7?—I do not know the exact number.

13448. Can you say in your branch how many listed posts are held by them? You ought to know that, roughly, four listed posts or five?—At present four.

13449. So we may take it that there are four judicial and four executive listed posts roughly?—Yes.

13450. What is the number of persons in the Judicial branch of the Provincial Service—the total number?—I do not know exactly the total number; it might be about 300.

13451. Just about the same as the number of Deputy Collectors?—I suppose so.

13452. Then you think that eight listed posts for 600 men is sufficient scope for promotion?—I do not consider it sufficient scope for promotion, but I consider it sufficient scope for rewarding good meritorious service. Promotion is had in the ordinary course.

13453. You say in your answer to question (23) "the last general reorganization of the Provincial Civil Service was effected in 1899 when a number of appointments ordinarily reserved for members of the Civil Service was thrown open to the Provincial Service (both branches). Prospects were greatly improved, really meritorious officers were made eligible for listed posts and promotions in the lower grades were facilitated?—Yes.

13454. So you think, leaving four posts for 300 Executive officers in the Executive branch is ample scope for promotion?—I never said that it was ample scope for promotion, but the flow of promotion was facilitated.

13455. Supposing four persons, taking the Judicial branch, got into the listed posts, *i.e.*, in 1899, and they are all of the same age, then ordinarily it would not be possible for anybody to get into the listed posts until 20 or 25 years?—In the Judicial branch they do not stick to the listed posts for more than two or three years.

13456. The Judicial branch?—Of the Provincial Service? The listed posts in that branch of the service are generally occupied by officers who do not stick to their posts for more than three or four years.

13457. What do they do then?—They retire on pension.

13458. You mean to say that they are given these offices so old that they have only two or three years' pensionable service to put in before retirement?—Yes; that is what happens.

13459. Has the first batch retired?—I believe they have retired long ago.

13460. And then the second batch which was put in, is not that younger than the first batch?—Yes.

13461. Then, while this young batch is holding these four listed posts, it is not possible for anybody to rise by promotion to the listed posts?—No; it is not possible.

13462. You are holding one of the listed posts, and you will understand the situation—that a situation must arise which is of great consequence, which will affect the prospects of the Provincial Service. In Bombay, for instance, we have three listed judicial posts or District Judges and Sessions Judges; all three men of the same age are holding the three District Judgeships, with the result that for 20 years more there is not likely to be any chance for any man of the Provincial Service to get up into the listed posts. Do you consider that to be a satisfactory feature of the listed posts?—Not at all.

13463. Now coming back to the question of the separation of the judicial and executive functions, you are for the combination of the two?—Yes: in the present state of things.

13464. As a Deputy Collector you had magisterial powers?—Yes.

13465. First-class or second-class?—First-class powers.

13466. You move about in the district?—I do.

13467. How many months in the year do you move about in the district?—About three or four months.

13468. Only three or four months in the year you mean you are stationary for eight months?—I go out for about 120 or 130 days in the year.

13469. But you are supposed to be at your head-quarters during the monsoons?—There is no hard-and-fast rule; but as a matter of fact I go out every month for some days.

13470. All this time, while you are going round the district, you are doing your magisterial work?—Not at all, except cases under section 110 of the Criminal Procedure Code, bad livelihood cases.

13471. That is all?—These are all the cases that I try.

13472. You mean to say that your first class magisterial powers are confined to Chapter VIII cases?—Yes, as a District Officer.

13473. No other magisterial work?—Very seldom.

13474. Then what is the arrangement for the magisterial work?—The Deputy Magistrate and the Honorary Magistrate deal with the other cases.

13475. Leave aside the Honorary Magistrates; they are honourable gentlemen; let us not touch them. We are talking of the stipendiary Magistrates?—They do the bulk of the criminal work.

13476. Who do?—A great portion of the criminal work is done by the Honorary Magistrates.

13477. Leave aside the Honorary Magistrates. As to stipendiary Magistrates in your district, when you worked as 4th class Deputy Magistrate, how many stipendiary Magistrates were doing the work?—Three.

13478. These stipendiary Magistrates; did any of them go round the districts; were any of them stationary?—One Magistrate has just been appointed Subdivisional Magistrate and he will go round the district.

13479. Ordinarily I don't want particular instances?—Ordinarily they do not; they occasionally go out, but not as a rule. As a rule, they do not go round the district.

13480. They do not go round the district?—Some of them do go round the district; except the Treasury officer the other officers go round the district.

13481. The Huzur Deputy Collector or the Treasury officer is always in the station?—Yes.

13482. But the other Magistrates are required to go round the district?—Occasionally they go.

13483. While on their tour, do they take criminal cases?—Very seldom.

13484. Section 110 cases or Chapter 8 cases, what about them?—They are tried on the spot.

13485. That is, you try them on the spot while you are going round?—First the report is submitted, and I fix the date according to the convenience of the parties, and try the case on the spot.

13486. You mean to say that you are able to finish the cases at one sitting?—Almost, as a matter of fact I do.

13487. Then you do not know of any cases in which the accused and the witnesses have to follow you from camp to camp?—Not a single case.

13488. With none of the Magistrates?—With none of the Magistrates.

13489. Now in the instance that you gave to Mr. Gokhale, you said that you called a meeting of the importers of *ghee*, of the importers, the sellers and the shop-keepers, whoever they may be, and you gave them certain beneficial advice?—Yes.

13490. You gave them advice as a private gentleman; did you not?—Whether I gave the advice as a private gentleman or not they took it as a sort of advice from the Collector.

13491. That may be. I wish you will kindly answer my question. It was not in the discharge of any duties as an Executive officer or as a Judicial officer that you called that meeting and gave them that advice; you did it only as a private gentleman?—No, as an Executive officer I called that meeting.

13492. As an Executive officer?—Yes.

13493. May I know what rule or regulation requires an Executive officer to call together a meeting of importers and shop-keepers?—There is no rule or regulation restricting the limits to enable the Collector to do good to the people

13494. Question of doing good apart—I am coming to that,—you have the prestige of your office behind you; but you exercised this prestige, not in the formal discharge of your duty as an Executive officer: you called a meeting of this people and advised them that this was not a good thing to do, it was very deleterious to the health of the people and that they were making themselves liable to criminal prosecution, and therefore they should desist from the practice. That is the way you probably advised, just as any other person would have. Now my question is, supposing there is a separate Judicial officer who calls a meeting and advises them in the same way, would not his prestige as a Judicial officer, though not having executive powers, carry the same weight?—If he were a Judicial officer?

13495. Take the Munsif. Suppose he is invested both with civil jurisdiction as he is at present, and also with criminal jurisdiction; and the Munsif, either stationary, placed at head-quarters, or going round his taluk, acts in the same way in which you did, would not his prestige carry the same weight which your prestige as Executive officer did?—Most probably it would.

13496. (*Lord Ronaldshay.*) I have three questions that I want to ask you. The first one is with regard to the listed posts. I should like to know whether, if the listed posts were taken away and the access to the Indian Civil Service was made easier for Indians by means of the institution of an examination in India, the institution of such an examination would be regarded by the Provincial Service generally as a compensation, as an adequate compensation, for the abolition of listed posts?—I suppose so; it should be.

13497. You think it would?—Yes.

13498. That would be the opinion of the Provincial Service generally?—Yes.

13499. The second question arises out of what you have been saying with regard to the combination of the judicial and the executive functions. I want to ask you one simple question; am I to understand, from what you have said, that, as long as you have magisterial functions, you can often interfere in your executive capacity to prevent wrongs being done to the *raiyats* without being actually compelled to have recourse to litigation?—Yes, that is always done.

13500. That is what you mean?—Yes.

13501. I am justified in drawing that conclusion from what you say?—Yes.

13502. My last question is with regard to the Family Pension Fund. Do you think that all members of the Provincial Service ought to be compelled to subscribe either to the General Provident Fund, or to the Hindu Family Annuity Fund, or to the Bengal Christian Family Pension Fund, or at any rate to some fund which would make provision for their families in the case of their death?—I think they should be compelled to subscribe to one of these funds.

13503. (*Mr. Bompas.*) As regards the system in Bengal, which, I think, Mr. Chaubal scarcely understood, it is a fact that in Bengal criminal courts, courts of Deputy Magistrates, sit permanently at head-quarters?—They do.

13504. And these officers are not touring officers though they may occasionally go about the district, but as criminal courts they generally sit at head-quarters in the district?—Yes, as criminal courts they sit at head-quarters of the district.

13505. The Subdivisional Officer may have to tour, but he generally has a second officer at head-quarters, if he goes away?—Even if he does he does not take cases with him.

13506. Not in Bengal?—Not in Bengal.

13507. You were asked questions as to short leave. Do you still think it correct to say in answer to question (32) that Deputy Magistrates take all the leave on full pay due to them?—I said, "it is ordinarily taken by the officers, except when they are holding special posts or are in healthy stations, when they are naturally averse to run the risk of a change for the worse." I make some reservation.

13508. Would you make the general statement that these Deputy Magistrates take three months' leave on full pay every three years?—Not always; generally.

13509. Suppose he does take the short leave, three months' leave, what does he generally do with the three months' privilege leave?—He goes home.

13510. The system of going to holiday resorts and places of recreation has scarcely begun to come into existence in Bengal?—That is unknown.

13511. He simply goes and sits at home without change of climate, without any active occupation for his mind and body?—That is so.

13512. (*Mr. Mukherji.*) With reference to your answer to question (17) where you say that you are practically satisfied that under the existing system promotions in the service are satisfactory, are you aware that there are very serious complaints of congestion in certain grades, that men have been eight or nine years in certain grades without any promotion?—Yes, I am conscious of that fact.

13513. Can you tell me what is the reason of it?—One reason that suggests itself to me is that extensions are too frequently and for long periods given to superannuated officers.

13514. And any other reason?—The number of posts in the higher grades is smaller than the number of posts in the middle and the lower grades.

13515. Would you like any of the top grades added to, that is, having any grades higher than Rs. 800?—I think there should be a grade on Rs. 1,000 just as the Judicial branch of the Provincial Service has got.

13516. (*Mr. Sen.*) Are you not Magistrate and Collector of the Birbhum district?—Yes.

13517. Is it within easy reach of Calcutta?—It takes about seven or eight hours.

13518. Personally do you like that station?—I do.

13519. Is not that district one of the most healthy in Bengal as constituted at present?—It was considered one of the most healthy districts, now it is not healthy.

13520. Not a healthy district?—No.

13521. Is not the Judge Indian?—Yes.

13522. Is not the Civil Surgeon Indian?—Yes.

13523. And the Police Superintendent?—Indian.

13524. Will you please let me know whether this system of putting a district in charge entirely of Indian officers is working well?—I am quoting the words of the superior inspecting officers, and they say that the district is working well.

13525. This system of putting a district entirely in charge of Indian officers is working well; that is the opinion of high officers, superior officers you say?—Superior inspecting officers did not say so in so many words; they were satisfied with the working of the district.

13526. And it has happened that the district is now being manned by Indians?—Yes.

13527. Entirely by Indians?—Yes.

13528. Is there any objection to the continuance of the system as far as it is practicable?—That is a question which I prefer not to answer, because it is almost a personal matter; but I think that it is working to the satisfaction of the Government as well as of the people.

13529. Do you know that there is a grade of Rs. 500 for the Munsif?—There is.

13530. Do you know the number of Munsifs in the Rs. 500 grade?—The number is very small.

13531. May I tell you it is twelve?—That might be.

13532. Do you know that Munsifs cannot become Subordinate Judges until they are 50 or 51 years of age, as a rule?—I think, as a rule, they get into the post of the Subordinate Judges at about 48 generally; sometimes it is 49 sometimes it is 50.

13533 Is it not a fact that a Munsif, when he becomes a Subordinate Judge, has to run through the grades of Rs. 600, Rs. 800 and Rs. 1,000 in the course of four or five years?—That is always the case.

13534. There are cases also in which Munsifs cannot get even to the grade of Rs. 1,000 after becoming Subordinate Judges?—There are.

13535. You recommend that there should be officiating promotions in temporary vacancies?—Yes

13536. Is that not the rule in the Police Department as also in the case of the Indian Civil Service?—I understand that it is so.

13537. There is a rule as to privilege leave; that is to say, that a man, rejoining an appointment on the expiry of his privilege leave, cannot take again privilege leave within six months?—There is that rule.

13538. Do you not consider this rule an unnecessary hardship?—I think it is rather hard.

13539. You are saying that the listed posts may be abolished in case the competitive examination is bad for Indians, so that more Indians can go into the Indian Civil Service?—I do.

13540. But is that any encouragement to the Provincial Service officers?—It may not be an encouragement to the Provincial Service, but it will be an encouragement to the people of the country.

13541. That is to say, a man should always remain a Provincial Service officer; and notwithstanding that he may be a very meritorious and able officer, there cannot be any opening for him?—He should make up his mind whether to go in for the Indian Civil Service or the Provincial Civil Service.

13542. (*Mr. Macdonald.*) I should like to have something about the working of the machinery. Supposing that the meeting you addressed about bad *ghee* did not take your advice, what would you have done?—I would have had them prosecuted.

13543. Who would have laid the information?—I myself.

13544. Who would have tried the case?—I would have recommended the case to be transferred to some other district because I was the complainant in the case. And I told them so; that if they wanted the case to be transferred, I would have it transferred through the High Court to some other district and should have given evidence.

(The witness withdrew.)

CYRIL HENRY CROSSE, ESQ., Deputy Magistrate and Deputy Collector, Berhampore.

Written answers relating to the Provincial Civil Service (Executive).

13545. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I am not satisfied with the existing arrangements by which certain posts ordinarily filled by members of the Indian Civil Service are listed as open to officers of the Provincial Civil Service of proved merit and ability, but am satisfied that appointments to these posts should be made by selection. I would suggest—(*i*) that one post in each of the grades of Magistrates and Collectors should be reserved for members of the Provincial Civil

Service; (*ii*) that the four posts of Joint Magistrates, which have been converted into posts of Deputy Magistrates, should be restored to their respective grades of Joint Magistrates, but reserved for members of the Provincial Civil Service; (*iii*) that the two posts of Assistant Magistrates converted to the fifth grade of Deputy Magistrates should be converted to the fourth grade of Deputy Magistrates, *i.e.*, the Rs. 500 grade; (*iv*) that the two posts of Assistant Magistrates converted to the sixth grade of Deputy Magistrates should be converted to the 5th grade of Deputy Magistrates, *i.e.*, the Rs. 400 grade; (*v*) that temporary vacancies, caused by Magistrates and Collectors being placed on deputation or going on leave from districts where there are no Joint Magistrates, should, as a general rule, be filled by senior officers of the Provincial Civil Service stationed in those districts, and not exceptionally as at present.

13546. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am not altogether satisfied with the present designation "the Provincial Civil Service," and would suggest that a better nomenclature would be obtained by substituting the name of the province for the word "Provincial," *e.g.*, "the Bengal Civil Service," "the Bombay Civil Service," etc.

13547. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept as suitable the principle recommended by the Public Service Commission of 1886-87, that the conditions of the Provincial Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed, but I do not agree that the principle has been followed. The average pay of the members of the Provincial Civil Service in Bengal is far less than that of the same service in either Bombay or Madras: the average pay in Bengal being Rs. 376, that in Madras being Rs. 400, and that in Bombay being Rs. 436. Yet, as is well known, the bar, medical, and other professions in Bengal offer better prospects to brilliant men than do professions in the other provinces. The pay of the service in Bengal must therefore fail to attract men of the same qualifications as are attracted to the service in the other provinces; and it is obvious that, if a suitable class of men is to be attracted to the Provincial Civil Service in Bengal, the pay of the service must be considerably increased. The province of Bengal, as at present constituted, is, moreover, the most unhealthy and most expensive province in the whole of India; and men who contemplate entering for the Provincial Civil Service, or putting their sons into it, must naturally consider whether it is advisable to do so, seeing that, in the ordinary course of events, they are liable to be posted to one of the many unhealthy districts away from their homes, whereas if they enter a profession they will be able to choose their own headquarters.

13548. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—*Vide* my answers to questions (22) and (26).

13549. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—If the present system of grade promotion is followed, I am not satisfied with the present practice by which officiating promotions are not made in the Provincial Civil Service. But see my answer to question (26).

13550. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am in favour of a time-scale of salary being substituted for the existing graded system of promotion. I would restrict the time-scale to the lower grades, *i.e.*, grades below Rs. 600.

13551. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—I recommend increments every five years from the Rs. 250 to Rs. 500 grades, that is, officers would ordinarily draw Rs. 250 for the first five years of service, Rs. 300 for the second five years of service, Rs. 400 for the third five years of service and thereafter Rs. 500, unless appointed to the higher grades or to some listed appointment. The increment should be granted subject to the condition of good conduct and approved efficiency. Promotion to the superior grades should be by selection of men of approved merit and ability, and permanency in those grades should be secured only by continued good conduct and efficiency: any officer guilty of bad conduct or inefficiency should be reverted to his time-scale grade if his conduct is not such as demands more severe punishment. I would recommend compulsory retirement at the age of 55 years, excepting in the case of officers holding listed appointments. As appointments to the higher grades should be made by selection, so also I would recommend that appointments to the listed posts should be recruited by selection from the higher grades of the Provincial Service only, and the appointment to the posts of Magistrates and Collectors should be made by selection from the posts of Joint Magistrates only. If necessary, the Judicial branch of the service should have its own time-scale.

13552. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not approve of the arrangement by which officers of the Provincial Civil Service holding listed appointments draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service, because officers of the Provincial Civil Service appointed to such posts should live in the same style and entertain in the same way as any member of the Indian Civil Service would do. Their cost of living and entertaining would then be no less than that of a member of the Indian Civil Service. I would recommend, therefore, that they should draw the full pay of the appointments. Moreover, in the case of an Indian member of the Indian Civil Service, an Indian member of the High Court, or of the Provincial Executive Council, no difference is made in the pay, and there can therefore be no reason why any difference should be made in the pay of a District Magistrate and Collector when he is appointed from the Provincial Civil Service. Further, I would point out that Military and Police officers appointed to the Commission in non-regulation provinces draw the same pay as members of the Indian Civil Service holding similar appointments, although their pay in their own services is much inferior to that of the Civil Service.

13553. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service; and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—All the leave on full pay due to them is not ordinarily taken by officers of the Provincial Civil Service, because they cannot afford to take it; with the result that at the end of their service they are worn out and their whole constitution is wrecked. I would suggest that in Bengal, which is now the most unhealthy province in India, privilege leave of at least five weeks in the year should be allowed, and it should be admissible to accumulate this leave up to six months.

13554. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—All the furlough due to them is not ordinarily taken by officers of the Provincial Civil Service, because (a) they cannot afford to take it and (b) they are afraid to use it up by combining small portions of it with privilege leave. The medical leave allowed under Indian services leave rules is not convenient, and I would suggest that this leave be abolished and the amount allowed thereunder on half pay be added to the amount at present allowed as furlough.

13555. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I do not consider the rates of furlough allowances are altogether suitable to the service.

I would recommend that one year of the total furlough should carry furlough allowance of full pay to be taken prior to the furlough on half pay. This with my recommendations under questions (32) and (33) would enable junior officers to avail themselves of leave more frequently and at a time when leave would do them most good.

It is undoubtedly desirable that officers of the Provincial Civil Service should, if possible, spend their furlough in Europe, and to enable them to do so I would recommend that their passages to and from Europe should be paid for by Government conditional on their attending a certain number of trials in the criminal or police courts at home.

13556. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—I do not consider that any maximum limit of leave allowances should be fixed. As regards the minimum limit, please see my answer to question (34).

13557. (57) Have you any suggestions to make in favour of any modifications in the detailed working of the present system of superannuation pensions; and, if so, what, and for what reasons?—Owing to the depreciation of the rupee, the maximum pension of Rs. 5,000 a year is inadequate. The maximum should therefore be abolished or substantially increased.

13558. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I would recommend compulsory retirement at the age of 55 years, excepting in the case of officers holding listed appointments; and voluntary retirement any time after 15 years' service on a pension of as many sixtieths of the average pay of the last three years as the officer has years' service.

13559. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The Government General Provident Fund is in no way suitable as a provision or the widows and children of the subscribers. What is wanted is a system of pension by which the widows and children of officers of the Provincial Civil Service will be suitably provided for. It reflects great discredit upon Government to find, as is so often the case, the widows and children of deceased Government officers in a state of destitution or entirely dependent on the charity of the general public. I would recommend that the pay of all appointments should be so fixed as to admit of Government granting, without contribution from the officers themselves, suitable pensions to the widows and children of deceased officials.

13560. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I would make the following proposals in regard to the Provincial Civil Service which are not covered by my answers to the previous questions:—

(i) That the wives and families of officers of the Provincial Civil Service should be entitled to free medical attendance of the Civil Surgeon, who should be absolutely prohibited from taking any fees whatsoever from them.

(ii) Actual expenses of transfer of officers of the Provincial Civil Service should be borne by

Government instead of ordinary travelling allowance being granted as at present. These expenses should include the cost of moving the officers' family, servants, household furniture, etc. The heavy expense at present borne by officers on transfer is the main cause of so many being heavily in debt.

(iii) All officers of the Provincial Civil Service should be entitled to first-class travelling allowance. If an officer of the Provincial Civil Service is, by virtue of his office, of sufficient status to entitle him to attend Darbars and be presented to His Excellency the Governor, his position is such as to entitle him to travel first-class. At present it not infrequently happens that an officer is compelled to travel in the same carriage with his ungazetted subordinates, which is objectionable and lowering to the dignity of his position.

(iv) The Provincial Civil Service is the premier Home Service of the country and, yet its members find no place in the Warrant of Precedence. A Deputy Magistrate of the higher grades is not inferior in status to a Presidency Magistrate, many of whom are recruited from the Provincial Civil Service and draw less pay than Deputy Magistrates in the higher grades, yet the latter find no place in the Warrant of Precedence.

(v) It should be possible for Government now to know the number of officials required at each station, and they should see that sufficient house accommodation, at suitable rents, exists for their servants. It not infrequently happens that officers are posted to a station where no house accommodation is available, or, if available, is entirely beyond the officer's means to rent. In cases where Government bungalows are not available, I would recommend that Government should lease any available bungalow and sublet to the officer for whom it is required for the rent paid, subject to the maximum he would have to pay if it were a Government bungalow.

This brings me to the question of the present maximum rent chargeable, viz., 10 per cent. of the officer's pay. This maximum I consider to be far too high and it should be reduced.

MR. C. H. CROSSE called and examined.

13561. (*Chairman.*) You are Deputy Magistrate and Deputy Collector, Berhampore?—Yes.

13562. You are a member of the Provincial Civil Service?—Yes.

13563. For how many years have you occupied the position of Deputy Magistrate?—About six and a half years.

13564. What positions did you occupy previous to that?—I was Superintendent in the Foreign Office of the Government of India.

13565. In your answer to question (19) you say you are not altogether satisfied with the existing arrangements by which certain posts are listed for the Provincial Civil Service, and at the end of the paragraph you say, "I am satisfied that appointments to these posts should be made by selection." Are they not made by selection now?—I am satisfied with that portion of the system, but I am not satisfied with the exact arrangement of listed posts.

13566. Then you go on to make certain proposals. Will you please explain them more clearly?—There are certain Joint Magistrates' posts now merged in the Provincial Civil Service. They should, I think, be restored to the cadre of the Indian Civil Service and be reserved for members of the Provincial Civil Service. Also at least one post in each of the grades of Magistrate and Collector should be reserved for the Provincial Service.

13567. Is not that the case already?—No: the posts are listed as open to the Provincial Service, but are not reserved.

13568. You would like to have one post reserved in each of the grades?—I should reserve posts for the Provincial Civil Service. At present they are only listed as open to the Provincial Service. This works badly both for the Indian Civil Service and the Provincial Civil Service.

13569. If your proposals were carried out, how many listed posts would be required?—I have not stated any definite number of listed posts. I simply state that the posts which are now listed as open to the Provincial Service should be more or less reserved. Whether more posts are required or not, I do not say; I have not gone into it.

13570. Then you say that the pay of the Provincial Service should be increased in order to attract suitable candidates. Do you suggest that the candidates who are now being admitted into the Provincial Civil Service are not altogether suitable?—I am not saying they are not all suitable. There are certainly many suitable men in the service. But the present pay is not likely to attract the same class of men in Bengal as the pay of the Provincial Service in other provinces attracts in those provinces, the pay being better in those provinces and the prospects in the professions in Bengal being better than in any other province.

13571. You suggest, in your answer to question (22), an all-round increase in rates of pay for the Provincial Service?—I would not suggest an all-round increase.

13572. What would you suggest?—I have suggested that a time-scale of pay should be instituted for the lower grades, and that would give regular promotion, so that officers would get a fair salary to live upon.

13573. Up to what grade would you have the time-scale?—Up to and including Rs. 500.

13574. What other proposals do you make with regard to better pay?—I think that is practically the only suggestion. I should certainly have put down that higher grades should be added too, but I have not had time to think over the matter. I think there might very well be added to the higher grades two grades of Rs. 900 and Rs. 1,000, respectively, particularly because you see that I have suggested that appointments as District Magistrates should be made only from those who have been through the mill, as it were, first as Joint Magistrates. If that is the case, then you must have something higher for those who do not get in as Joint Magistrates. The best way would be that they should be able to get Rs. 1,000.

13575. Then you make only general proposals. You do not specify anything?—Yes.

13576. In answer to question (30), you say, "officers of the Provincial Civil Service appointed to such posts should live in the same style and entertain in the same way as any member of the Indian Civil Service would do." Do you suggest that officers holding listed posts should enjoy the same status as if they were in the Indian Civil Service?—Exactly so.

13577. You regard the present position of the listed posts as anomalous, and would like to see them incorporated for all purposes in the ranks of the Indian Civil Service?—Yes.

13578. Then, with reference to your answer to question (41), what increase would you recommend in the maximum amount of pension?—I think that it might be put down at Rs. 6,000 instead of Rs. 5,000.

13579. Then, in answer to question (44), you suggest that officers might be allowed to retire voluntarily after 15 years' service?—Yes.

13580. What is your reason for making that proposal?—I think there may be various reasons and conditions which would lead an officer to wish to retire when he has done 15 years' service. Perhaps, it may be due to ill-health or dissatisfaction with the service, and if, for one reason or another, he wishes to retire, he must get a certain amount of pension after 15 years' service.

13581. And you say that this pension should be as many sixtieths of his average pay of the last three years as the officer has years' service?—Yes, so many sixtieths.

13582. Would not this encourage officers to resign who otherwise would not have resigned thereby increasing the non-effective charges of the State?—I do not think so. In the Provincial Civil Service scheme, as I have put it forward, after 15 years' service an officer would be drawing a pay of Rs. 500, and therefore he would draw only fifteen-sixtieths of Rs. 500 as pension.

13583. What does he get now after 15 years' service?—Nothing.

13584. What would the pension amount to under your scheme?—If he retires after 15 years' service, he would get one-fourth of Rs. 500 or Rs. 125 a month.

13585. What is the usual age of retirement in the Provincial Civil Service of an officer eligible for pension?—Fifty-five.

13586. In answer to question (45), you say that the Family Pension Fund is unsatisfactory at present; and you would like to see better provision made for the wife and the family of an officer?—Yes.

13587. Would you suggest that provision be made from a fund to which contributions had been made during his service by each officer?—Yes, distinctly; but in order to make that possible, the pay of the service must be increased. At present the members of the Provincial Service have just as much as they can do to make both ends meet without paying to any fund.

13588. You think that the officer's pay should be increased by that amount to enable him to do so?—Yes, practically so, or it should be subscribed for by the Government.

13589. You have not, I suppose, thought out what would be the cost of such a scheme? No. I have not actually worked any scheme out to be able to say as to what the cost would be.

13590. Your say in your answer to question (47), that you would like to see the maximum rent charge of 10 per cent. of the pay reduced. Does that weigh very heavily at present on all officers?—Yes, very heavily.

13591. What would you suggest as an alternative?—I should think that five per cent. would be nearer the suitable payment by an officer for a bungalow.

13592. Is his house rent a heavy charge on an officer?—Yes. Rents are very high, and it is very seldom that an officer can occupy a Government bungalow on less than 10 per cent. of his pay.

13593. (*Lord Ronaldshay.*) When you were appointed to the Provincial Service, did your appointment require the sanction of the Government of India?—Yes.

13594. Then your appointment was a special one?—It was a special appointment.

13595. Generally speaking, there is disability as regards an Englishman going into the Provincial Service?—Yes.

13596. No Englishman who is not a statutory Native of India can enter the Provincial Service; they have to satisfy certain conditions that they have resided in the province for a certain time, they are graduates, and so on, and then their appointment has to be specially sanctioned by the Government of India. Is that not so?—That is so.

13597. In your answer to question (19) you make certain suggestions, and your fifth suggestion is "that temporary vacancies caused by Magistrates and Collectors being placed on deputation or going on leave from districts where there are no Joint Magistrates should, as a general rule, be filled by senior officers of the Provincial Civil Service stationed in those districts." Would not that interfere with the promotion in the lower ranks of the Indian Civil Service?—I think not It is only a question of vacancies caused by short leave.

13598. It is only a question of temporary appointment?—Yes; purely the case of an officer going on leave for a month or a month and a half, or six weeks' privilege leave, or something of the sort.

13599. Are not these officiating appointments considered to be served as a period of training for the younger members of the Indian Civil Service?—I do not know that.

13600. In any case, you do not anticipate any difficulty on that ground?—I do not think so.

13601. In answer to question (32), you say that all the leave on full pay is not ordinarily taken by officers of the Provincial Civil Service because they cannot afford to take it?—Yes.

13602. But a little later, you suggest that the amount of privilege leave to which they are entitled should be increased. If they cannot afford to take the amount of privilege leave to which they are entitled, what would be the use of telling them that they might take more leave?—I have combined that with another question.

13603. It is partly combined with my answer to question (34).

13604. I see that your suggestion is that one year of furlough should be granted on full pay?—Yes.

13605. You think that it will entail very considerable additional cost to the State?—I think the State will gain by it in the long run, by the better health of its officers.

13606. There is one other question that I would like to ask you about, and that is in regard to the Family Pension Fund. You are not satisfied with the provision which is made by the Government General Provident Fund. You think that there ought to be some Family Pension Fund for the members of the Provincial Service?—Yes.

13607. But no member of the Provincial Civil Service who desires to subscribe to some Family Pension Fund will find difficulty in doing so; I mean to say there are Family Pension Funds to which any member of the Provincial Service can subscribe when he desires to do so?—Not Government funds.

13608. Not, strictly speaking, Government funds perhaps, but funds which are to a certain extent controlled by Government. Is not the Bengal Christian Family Pension Fund to a certain extent assisted by Government?—I am not sure if it is assisted. I was thinking at the time of the Uncovenanted Service Family Pension Fund, with regard to the management of which there was a great deal of discontent. Some years ago there was a good deal of bad management in connection with it. It is not under the management of the Government.

13609. I am referring to the Bengal Christian Family Pension Fund. I understand that is assisted by the Government. Do you know that fund?—I do not know that fund.

13610. You have never heard of it?—No.

13611. (*Sir Theodore Morison.*) With regard to your answer to question (45) about the General Provident Fund, I see that another officer of your service has suggested that 6¼ per cent. of the pay should be compulsorily deducted and the Government should contribute 5 per cent. of the pay. Would that meet your wishes?—I do not think that anything other than a Family Pension Fund would meet the case at all.

13612. There are objections to the Provident Fund?—The Provident Fund is merely a fund for saving money. An officer might have contributed to the Provident Fund, say for two years, his contribution might possibly amount to a couple of hundreds, and if he should die that Rs. 200 would not be a provision for his family.

13613. And you want therefore—?—A fund in the shape of insurance or in the form of a family pension fund.

13614. If provision is to be made for family, it would be very much more costly?—A little more costly, yes; but not so very much.

13615. Then, with regard to your answer to question (47), your first suggestion is that the wives and families of officers of the Provincial Civil Service should be entitled to free medical attendance?—Yes.

13616. That is an exceptional provision that you ask for, is it not?—I think in all non-Government services, in all commercial services, the wives of officers are treated free by the company.

13617. It is so on the railways?—I think it is so.

13618. But not so in any Government service?—It is not so in any Government service.

13619. It is not so in the Government service in any other grade, civilian or military?—No. A civilian officer has to pay for medical attendance on his wife and children.

13620. You base that on the hardness of the struggle of the Provincial Service officer?—Yes. At present it amounts to his having to pay two per cent. of his salary to the Civil Surgeon for medical attendance upon his family, and it reduces his pay by two per cent.

13621. Civil Surgeons work on that basis?—They invariably accept a contract on that basis.

13622. I do not quite understand what you say in subdivision (v) in answer to question (47) about Government bungalows. Your complaint, first of all, is that the rents are too high, is it not?—First of all, there is an insufficiency of bungalows.

13623. Everywhere?—Not everywhere, but in very many stations.

13624. You say there are no suitable houses?—In some cases it happens there are no houses, but in other cases, there may be one or two vacant houses, the rent of which would be beyond the means of the officer who requires to rent it.

13625. But where houses are provided, the Government recognise their obligation to provide houses?—I think not.

13626. I am only asking for information?—It does not.

13627. It does not for the Provincial Civil Service officer?—No.

13628. Then I understood you to say that you would reduce the rent payable by an officer of the Provincial Civil Service, at least you would limit it to 5 per cent. of his salary; and you think that 10 per cent. is too high?—I think 10 per cent. is too high both for a Provincial civilian and also for an Indian Civilian.

13629. Ten per cent. is less than the market rate of the house, is it not? An officer is never expected to pay more than the market rate of the house, because he has to pay 10 per cent. of the salary. A Commissioner drawing a pay of Rs. 3,000 would not be expected to pay more than the market rate?—In certain cases, private bungalows can be rented at lower rates than Government bungalows. I have known such cases. If the Government were to fix it at five per cent., generally speaking, it would be below the market value.

13630. Is 10 per cent. above the market value?—In some cases.

18631. Even when it is above the market value is a man expected to pay the full 10 per cent.?—The percentage is worked out on the cost of the building. The building being erected by the Public Works Department and repaired by them, the cost of the building is more than it would otherwise be, and therefore the 10 per cent. of the cost works out to be higher than the market rate.

13632. So, you mean to say that the value of the house is more than what it would be in the open market. It is more than the market rate the Government would let it for?—In certain cases it is so.

13633. (*Mr. Sly.*) There are two or three points that I wish to take your opinion on. In your answer to question (19) your suggestion is that one post in each of the grades of Magistrates and Collectors should be reserved for members of the Provincial Civil Service. How many grades of Magistrates and Collectors are there?—Three.

13634. How many posts are at present reserved for the Provincial Civil Service?—None.

13635. How many listed posts are there?—I have not ascertained the number of listed posts.

13636. As a matter of fact there are four listed posts already thrown open to the Provincial Civil Service?—Yes.

13637. So, if that proposal of yours were carried into effect, it would be damaging the Provincial Service?—I do not say that only three should be reserved. I am not limiting the number. I say that one in each grade should be reserved.

13638. There being three grades, one in each makes three?—I do not say that it should be limited to that number. There may be two in each grade. What I say is that there should at least be one in each grade.

13639. Take your points (*iii*) and (*iv*). What they amount to, in substance, is that you want some improvement in grading?—The question is simply one of numbers in the grades.

13640. Two posts in the fifth grade are to be raised to the fourth grade, and two posts in the sixth grade to be raised to the fifth?—That is merely an improvement in the grading.

13641. In regard to question (29), you want to enforce compulsory retirement at the age of 55, I understand?—Yes.

13642. That is, you wish that rule to be strictly adhered to—compulsory retirement at 55?—Except in the case of those officers holding listed appointments.

13643. That is, whether an officer is efficient or inefficient you wish him turned out at that age?—Yes

13644. The reason for that?—One of the main reasons is that there is a tremendous block in the promotion of other officers.

13645. Simply to accelerate promotion Government should compulsorily retire an efficient officer?—And also I have recommended the time-scale of pay up to the Rs. 500 grade in order to prevent the enormous block in this Rs. 500 grade An officer should be retired at 55.

13646. In answer to question (32), you have suggested that leave on full pay is not taken because officers cannot afford it. Why cannot they afford to take it on full pay?—The leave runs from one to three months and the cost of moving the family takes away the three months' pay.

13647. You suggested that pension should be raised from Rs. 5,000 to Rs. 6,000 maximum?—Yes.

13648. Excepting special appointments such as heads of departments and the like, I believe that Rs. 5,000 is the maximum pension in any Service outside the Indian Civil Service?—I think so.

13649. So that your demand would lead to a very heavy increase of expenditure in all services?—Possibly so.

13650. Then you suggest that the age of retirement for voluntary retirement should be lowered to fifteen years?—Yes.

13651. Is it not the case already that on a medical certificate you can retire?—That is after 25 years.

13652. On medical certificate at any time?—With pension?

13653. With pension?—I think pension is granted not as a matter of right but as a matter of grace.

13654. We need not go into the actual rule. Would you like an officer to be allowed voluntarily to retire, although he is in thorough health and suited to the Government service?—Yes. I have put in one place that inefficient officers should be compulsorily retired. If it is possible to retire an inefficient officer it should also be possible for an efficient officer to retire.

13655. In clause (*ii*) of your answer to question (47) you say that the actual expenses of transfer ought to be reimbursed to the officer?—Yes.

13656. Under that actual expenditure would you include the expenses of moving his family?—Yes.

13657. Is it not a case of altering the Civil Service Regulations? The Government have never exercised any responsibility with regard to the wife and family of an officer at any time?—No. Ministerial officers are given travelling allowances for their wives and families and also for a certain weight of luggage.

13658. The responsibility in regard to the family and the wife of a gazetted officer has never been recognised?—No; I believe not. But if an officer is moved for the benefit of the Government his expenses should be paid.

13669. His expenses are paid, but not the expenses of his wife and family?—That is so.

13660. Then you suggest that Provincial Civil Service officers should be included under the Warrant of Precedence?—Certain of them.

13661 Is it not the case that the limit fixed under the existing Warrant of Precedence is practically a money limit of Rs. 800 a month for all officers in India?—No.

13662. If you look at the Warrant of Precedence so far as there is a guiding principle, the guiding principle is that nobody under Rs. 800 a month shall come on to it?—I am not certain of that. I know that certain officers are in the Warrant of Precedence who are not drawing a salary of Rs. 800 a month

13663 I know there are exceptions. But you want the officers of the Provincial Civil Service put on the Warrant of Precedence irrespective of their pay and irrespective of what is done in regard to other circumstances, simply on the ground of their being members of the Provincial Civil Service?—I think that the higher grade officers should come under the Warrant of Precedence. Everything should be done to improve the status and the dignity of the officers.

13664. Would you limit it to certain grades?—I would limit it to the higher grades.

13665. Let us clear up the question of house accommodation. Except in Presidency towns, I believe the Government has been recognised any direct obligation to provide house accommodation for its officers?—That is quite possible. It is impossible for me to say whether it is so or not.

13666. In some exceptional cases where great difficulty has been experienced, the Government has provided a certain number of quarters?—Yes.

13667. The rent for these quarters is, I believe, fixed at an amount to cover reasonable interest on the actual capital cost and repair charges?—Yes.

13668. But that rent is subject to a maximum of ten per cent. of the officer's pay?—Yes.

13669. So that, when you complain that an officer is forced to pay ten per cent. of his pay, he is really getting more accommodation than that 10 per cent. would justify him in getting according to the capital cost?—That is possible.

13670. If you wish that maximum of ten per cent. to be reduced, would you be content to have the amount of accommodation reduced in the corresponding scale?—No.

13671. Then, what your recommendation comes to is that the Government should provide house accommodation for its officers at a loss?—Yes, if necessary.

13672. Which means, practically, an increase of salary, does it not?—One way or the other it is the same.

13673. (*Mr. Macdonald.*) With reference to this rent, have your ever enquired as to what is the ratio between the income and rent in other places?—I have not. It is extremely high in certain cases.

13674. Do you know any country in the world where the rent only amounts to 10 per cent.?—I know that the rent in England is much cheaper than in some cases in India.

13675. That is not my point. Do you know any country in the world, whether in England or elsewhere, where the rent is less than 10 per cent. of the income?—I cannot say. I have not tried to ascertain the rates.

13676. Do you know in England the case of a man with £200 a year, having a house with a rent of £20 a year including everything; is that common?—No, I daresay it is not. I do not want to wander from the point. I do not say that in all cases 10 per cent. is hard. If you take an officer drawing Rs. 250 he has to pay Rs. 25 for the house. But in many cases there is no bungalow, and he will probably have to pay Rs. 50 or 60.

13677. But never more than 10 per cent.?—If it is a Government bungalow, not more than 10 per cent.

13678. You object to the 10 per cent.?—I object to a fixed rent of 10 per cent.

13679. With reference to the family pension in your answer to question (45), I am not sure if I understand your proposal; supposing a man left a wife and two children, is it your proposal that the Government should simply take hold of his family and pay pensions to each of them?—I presume they would work out a scheme under which a contribution would be paid. It it a matter of insurance.

13680. But may I draw your attention to what you say in the last sentence of your answer: "I would recommend that the pay of all appointments should be so fixed as to admit of granting without contribution from the officers themselves suitable pensions to the wives and children of deceased officials."—That means to say that in that case they would be able to lower the present pay of the appointment? Provided there was pension to the family; either they may so fix the pay that it carries with it a pension for the family, or raise the pay so that they may contribute towards pension.

13681. Is it your proposal then that every child born to an officer should mean a reduction of his pay; if the Government is going to reduce the pay in order that it may give pensions to the officer's wife and family without contribution from the officer, then is it your proposal that for every new child born the pay should be reduced by the Government?—No, the whole service pay will be worked out on some principle.

13682. So that a man leaving a wife and six children will be a greater charge upon the funds of the pension than a man who has left a wife and three children?—Yes.

13683. A man who left a wife and three children pays for the wife and children of a man who has left six children?—To a certain extent; there are profits to be made in everything; it is a matter of insurance.

13684. If each child is insured I can understand it, but if your proposal is that each child shall not be insured, but that a whole lump may be put in so that you should have a flat rate adopted for each officer, I put it to you, does not that mean that a man with a small family has to pay for a man with a large family?—I do not quite follow you; I have not worked out any scheme, but if a scheme were worked out, you can get statistics of the amount required in a very few years—the amount that would be required for the pension of the families. It will be perfectly possible to work out a system of pay for the whole Service which would admit of the Government giving these pensions, instead of individuals actually subscribing to the pensions.

13685. I am afraid that you do not see the point. One can insure an individual and every member of the family, or one can insure families on the average, and as a whole. As I understand you scheme, you want the Government to insure the family as a whole, and not that the officers should insure the individual members of the family?—That is so.

13686. Then I leave it there. I understand you make a series of proposals which you consider to be essential in order to raise the status of the Provincial Service in your answers?—Yes, generally.

13687. May I just run through them with you to see what your proposals are, so that I might be clear in my own mind about them? You want more posts?—That is necessary.

13688. You want more pay?—Yes.

13689. You want officiating promotions which means more pay again?—Temporary promotions.

13690. You want more holidays?—Slightly more.

13691. You want slightly higher allowances during holidays in order to enable you to take advantage of the holidays?—Yes.

13692. You want increased pensions?—I do not say 'increased pensions.'

13693. You want to raise the maximum limit?—Yes.

13694. You want to give opportunity to a man to draw his pension before he is entitled to get it under the present conditions?—Yes.

13695. By allowing him, while in full strength of mind and body, to retire after he has put in 15 years' service?—Yes.

13696. You want pensions for his wife and children without contribution?—Yes.

13697. You want free medical attendance for your wife and children?—Yes.

13698. You want more adequate travelling allowance, raising it to the scale of first-class?—Yes.

13699. You want lower rents at Government expense?—That is hardly the actual wording of it.

13700. I do not object, put it in any way you like: you want to see that the house rent is not an economic rent?—In the first place, I want that houses should be provided; the Government should see that there are houses provided in stations where officers are sent to.

13701. You want more houses?—We want sufficient accommodation provided.

13702. And that accommodation ought to be provided to you by the Government without consideration as to what the economic rent of the house is?—I think it should be.

13703. If the economic rent of a house should be Rs. 20 a month, and if Rs. 20 is more than five per cent. of your salary, then you will get it at Rs. 10 or Rs. 5, whatever the figure may be?—Yes.

13704. (*Mr. Madge.*) There are two or three different rules under which men get into the Provincial Service; would you mind telling us which of the rules you got in under?—By nomination by the Government of India.

13705. Have you passed all your examinations?—Yes.

13706. In answer to question (19), you say that you want certain posts to be reserved for the Provincial Service. Do you want the minimum number of Civilian posts to be lowered or to remain as it is, and these extra ones to be reserved?—I have made a slight distinction between 'reserved' and 'listed.' Certain posts are listed as being open to the members of the Provincial Civil Service. I have made a distinction between the two. I say that three of these posts, if you like, or such posts as are open to the Provincial Civil Service, should be reserved.

13707. Which means that if, in any year, they are not granted to Provincial men?—It would not interfere with the cadre in the service in any way. Assuming that there are nine posts for the Indian Civil Service in grade No. 1, there must be ten posts in that grade, one of which will be reserved for the Provincial Civil Service.

13708. But it may so happen in any year, that all the listed posts may not be filled up by the members of the Provincial Civil Service, in which case they will not be held by the members of the Indian Civil Service, if you actually reserve them for the Provincial Service cadre?—I presume that they will be held vacant.

13709. Would not be filled by anybody?—No.

13710. Do you object to the title of 'Provincial Service' as creating a distinction?—I do not see any objection to it; my whole idea in the answers to these questions which I have given is to raise the status of the Provincial Service and to give it more dignity. At present, it is being run down so much in many ways. I do not think there is sufficient dignity attached to the officers of the Provincial Service, but I think everything that tends to raise the dignity of the Provincial Civil Service officer should be advocated. I think that, in this case, the term giving the name of the province such as the Bengal Civil Service, the Bombay Civil Service, the Madras Civil Service is a better title for it than the 'Provincial Civil Service.'

13711. That would involve the abolition of the word 'Provincial'?—It would involve the abolition of the word 'Provincial,' but that word is implied in the new title that is given.

13712. In answer to question (22) you draw a distinction between the average pay in the three Presidencies. Would you have them fixed in disregard of the cost of living in these places; on what principle do you draw the comparison?—If you notice the question to which it is an answer, it states that there is a certain scheme put forward stating that the pay of the officers in the Provincial Civil Service should be so fixed as to attract locally men of a certain status. In the case of Bengal that principle has certainly not been followed. The pay is lower in Bengal than it is in any other province—I mean the average pay.

13713. What I wanted to get from you was your idea as to the principle on which the pay should be fixed. Is it with or without reference to the cost of living in any particular place?—My argument is that the present rate of pay cannot attract men to the Bengal Provincial Service, men of such qualifications as the pay in other provinces will attract in those provinces.

13714. You are aware of the Uncovenanted Family Pension Fund as it exists. Do you want that the Government should take over its responsibilities?—I do not mind whether they take it over, or establish a fresh fund. I do think that they should have a family pension fund in the same way as the Indian Civil Service has a pension fund.

13715. You have already given us your opinion that it ought to be non-contributory?—I am willing to have it contributory, provided the pay is sufficiently raised. But if the pay is left as it is, it should be non-contributory.

13716. (*Mr. Abdur Rahim.*) How many gentlemen are there in the Provincial Service who have been specially appointed like you?—I do not know that at all.

13717. Do you know if there is any rule as regards these appointments requiring any minimum qualification?—I do not think that is any minimum qualification.

13718. (*Sir Valentine Chirol.*) I would like you to go back to the question of house rent. Your complaint, as I understand it, is that the Government employed for the construction of their bungalows an agency which is—for reasons into which we need not now enter—extraordinarily expensive, and that officials are made to pay from his point of view the unnecessarily heavy charges incurred in the building of these bungalows?—I do not think it is so in all cases, because in some cases the ten per cent., although heavy on an officer, is not a heavy charge for the rent of the bungalow.

13719. Bungalows, as a rule, built by the Public Works Department, are built at a higher rate than they would be built by any other agency?—That is so.

13720. And your rents are fixed on a calculation of the cost of building the bungalows by the Public Works Department?—Subject to the maximum of 10 per cent.

13721. Except where the rent is in excess of the maximum of 10 per cent., you are made to pay for the cost of the building by the Public Works Department as compared with the cost of the building by other agencies?—That is so.

13722. (*Sir Murray Hammick.*) I would only ask you this: were you born in this country?—No.

13723. You came from England?—Yes, I was born and educated in England.

13724. Have you taken any degree anywhere?—No.

13725. (*Mr. Bompas.*) Your appointment was a special one. It is a fact, is it not, that the statutory Natives of India of European descent are regularly recruited by the Government to the Provincial Service?—They are.

13726. Certain members of them are of European descent?—They are born and educated in India.

13727. I say of European descent; they are not of Indian descent, recruited normally for the Provincial Civil Service?—I do not quite follow you.

13728. The local Government regularly appoints to the Provincial Service a certain number of men who are not of pure Indian blood?—That is so. Anglo-Indians or Eurasians, is that what you mean?

13729. Yes?—But those are not statutory Natives of India. I do not think they come under the classification statutory Natives of India. I am not certain on that point.

13730. As regards European and Anglo-Indian Deputy Magistrates, are they generally employed in certain stations or in certain duties for which they are considered to be specially suitable?—I do not think I have come across any such cases.

13731. As regards travelling allowance on transfer, is it a fact that an officer on transfer from one part of the province draws allowance calculated on the same scale as that which he draws if he rides out for fifteen miles from head-quarters and then returns to the head-quarters for dinner?—Exactly.

13732. (*Mr. Mukherji.*) Did you come into service of your own choice?—I am not quite sure what you mean.

13733. Did you seek to enter into the service?—No; but I was pleased to get into it

13734. Did you apply?—I did not.

13735. With regard to the working of the 55 years' rule, you want to make an exception in favour of men holding listed appointments?—Yes.

13736. Why?—Because, if you follow my scheme, you will find that the time-scale is to be applied up to the Rs. 500 grade where the average man will stick, and these men are not required after 55 years' service, but men at the head are those who are worth keeping in the service.

13737. You do not think that they would cause a serious block in the promotion to listed appointments, block the men who are behind them from coming up?—I do not think there will be any serious block

13738 You want to reserve a post in each grade of Magistrates and Collectors for the members of the Provincial Civil Service?—Yes.

13739. That is, you would have a first-class Magistrate and Collector reserved for the Provincial Civil Service?—Yes.

13740. Suppose one did not work up to that grade?—That might be left vacant.

13741. (*Mr. Sen.*) Your answers are confined, I see, only to the executive department?—Yes.

13742. You do not give much information as to the Provincial Judicial Service?—No.

13743. You say the average pay of Deputy Magistrates is Rs. 376?—Yes.

13744. Do you know that the average pay of a Provincial Judicial officer is less than that of a Deputy Magistrate?—I do not know.

13745. Do you know the expression Munsif?—Yes.

13746. Since when did you understand it? Is that after you became Deputy Magistrate, or before?—I think before.

(The witness withdrew.)

[Adjourned for a short time.]

A. P. PETERS, ESQ., Sub-divisional Officer, Gaibandha, Rangpur District.

Written answers relating to the Indian Civil Service.

13747. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It is satisfactory in principle. I think it will be better if a simultaneous competitive examination be held in India for the recruitment of officers, as some desirable candidates cannot try for a appointment for want of means.

13748 (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Nil.

13749. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes.

13750. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—Natural-born subjects of His Majesty belonging to Colonies which do not tolerate "Asiatics" should not, as a rule, be permitted to enter the Indian Civil Service—such as Australian and South African Colonies.

13751. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examination in India and in England to the competitive examination only would be exceedingly desirable.

13752. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—No.

13753. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examinations in India or by means of separate examination in each province or group of provinces in India? If so, what proportion do you recommend?—Not desirable.

13754. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Yes, they should still be eligible for appointment in England.

13755. (18) What is the most suitable age at which junior civilians should arrive in India? Twenty-four years.

13756. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—At 22 years. At 21 a youth would complete his University examination in India and proceed to England for the competitive examination. This would allow him three years for preparing for the Indian Civil Service.

13757. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be "of such a nature that no candidate who may "fail shall, to whatever calling he may devote "himself, have any reason to regret the time and "labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Yes.

13758. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

13759. (27) Have the "Natives of India," recruited by means of open competition in England, proved on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?—Yes, so far as I know.

13760. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—Recruitments from the members of the Provincial Civil Service of proved merit and ability.

13761. (39) Have the officers of the Provincial Civil Service, selected to fill listed posts, proved, on the average, as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—Yes, I think.

13762. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

13763. (46) If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Preferably Oxford and Cambridge Universities.

13764. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes, they should receive an allowance.

13765. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose; and, if so, under what conditions?—A separate institution would be desirable.

13766. (54) What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—I think this is desirable.

13767. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the bar, reading in barristers' chambers or other), and what conditions do you propose?—Yes, study-leave to Europe should be granted.

13768. (65) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Yes, Civil Procedure Code.

13769. (69) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—When practicable, at least a year to be spent in England as probationer.

Written answers relating to the Provincial Civil Service.

13770. (2) Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Recommendations. In my opinion the members of the Provincial Civil Service (Executive branch) should be recruited as follows:—(*i*) One-third of the appointments should be thrown open to a competitive examination; (*ii*) one-third should be recruited by nomination from outsiders according to the present system; (*iii*) one-third from deserving officers who are already in Government service, *i.e.*, from Subordinate Executive Service, Registration Department, Settlement Department, etc.

13771. (3) Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—It appears that the information is correct, but at present there are over 100 members in the seventh grade. I recommend the following alterations:—(*i*) The number of appointments in each grade should be equal. This would give a member a fair chance of rising to the maximum. Under the present system, the vast majority of the members have to retire on Rs. 500. The number of members in the first three grades is absolutely inadequate for such a big service and it gives no fair chance for competent men to rise even to the second grade. (*ii*) The maximum should be raised to Rs 1,200 constituting nine grades. (*iii*) There should be a time-scale up to Rs. 800 in 12 years, including probationary period of one year. (*iv*) Promotions to higher grades than Rs. 800 should be by merit. Reasons:—(*1*) Cost of living has trebled during the last 15 years and the present pay of officers is absolutely inadequate for their position. It is impossible to make suitable provisions for families and give proper education to children. At present the rate of promotions is, roughly speaking, about six or seven years on Rs. 250, seven or eight years on Rs. 300, ten years on Rs. 400, and the rest on Rs 500. The best years of one's life are thus spent on Rs. 250 and Rs. 300. (*2*) The enrolled service in the Finance Department, Opium Department, Forest Provincial Service and Post Offices have all got a time-scale. None of these departments is superior in point of importance of work done to the Provincial Civil Service (Executive branch).

13772. (4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force and the number of officers recruited year by year in your province under each system since its formation?—Existing system of recruitment:—(*i*) Nomination by University amounting to competitive examination system; (*ii*) nomination by Divisional Commissioners; (*iii*) nomination by Government; (*iv*) nomination by the Board of Revenue.

13773. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory; and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.—*Vide* answers to question (2).

13774. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Non-residents should not ordinarily be recruited, but there should be no distinction of race, *e.g.*, any Bihari settled in Bengal must be considered to be a resident of Bengal and *vice versâ*.

13775. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is desirable to represent the different communities, but in all cases 'efficiency' should have the first consideration. At the time of selecting members for this service from outsiders and from other services special care ought to be taken to see that the different communities are well represented.

13776. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory; and, if not, what alterations do you recommend?—(*i*) The present system of training the probationers does not seem to be quite satisfactory. I think the probationers ought to be placed under an experienced officer selected by Government for a period of about six months or more. This officer will be required to train them up in all the different departments (both Revenue and Criminal) and give them first-hand knowledge. (*ii*) If there be any examination, it should be of a practical nature.

13777. (10) Is the existing system of departmental examinations suitable; and, if not, what changes do you recommend?—I do not consider the existing system of departmental examinations suitable. I think it will be far more satisfactory if the probationers are placed under an experienced officer for at least six months in order to be trained in all the different departments, and then before sending them out for independent work, they may be required to go through a test examination of a practical nature. This sort of training is given to probationers when they are trained for the survey and settlement work.

13778. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—In addition to the listed appointments, the posts of Assistant Sessions Judges and Sessions Judges should be filled from the members of the Provincial Civil Service (Executive branch), as it is the Deputy Magistrates (and not the Munsifs or Sub-Judges) who gain considerable experience of criminal works from the commencement of their service. The number of listed appointments should be increased. At least six District Magistrates and Collectors should be appointed from the Provincial Executive Service in addition to the present listed appointments, and their pay should not be less than four-fifths of the pay of the post if held by a member of the Indian Civil Service.

13779. (12) What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory; and, if not, what alterations do you recommend?—I do not know the system, but officers are as a rule overworked, especially those who do criminal work. This is the case specially in subdivisions. I think this may be remedied by increasing the number of officers, say, about 50, and by a more careful distribution of officers, according to the peculiar needs of the different districts and subdivisions. In subdivisions, there ought to be at least one first-class Magistrate in addition to the Subdivisional Officer, in order that the Subdivisional Officer may pay proper attention towards the administration of his subdivision and his tour work.

13780. (13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—Practically there is no leave reserve in the Provincial Civil Service, and officers as a rule find it extremely difficult to get privilege leave. Officers seldom get leave without the submission of medical certificate. In my opinion privilege leave ought not to lapse when an officer applied for it but could not get it for the exigencies of the service. In such cases the officer should be entitled to get all the accumulated leave when he can be spared and when he requires it on the next occasion.

13781. (14) Is there any reserve for officers under training, and is it adequate?—The answer is in the negative.

13782. (15) What is the anual rate of recruitment, and how is it fixed? Has it worked well in practice, and does it secure an even flow of promotion?—I do not know what is the annual rate of recruitment and the method in which it is fixed, but the flow of promotion is by no means even, *e.g.*, there are officers now in the fifth grade who got their promotions to that grade in eight years, whereas as it shows at present an officer will have to wait about seven years before he can get to Rs. 300. In the Rs. 300 grade it would take an officer about eight years before he can expect Rs. 400. These facts have only to be mentioned to indicate the feeling of hopelessness. This can only be remedied by increasing the number of appointments in the higher grades in the manner indicated above [*vide* answer to question (2)].

13783. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—I do not know under what system selection for appointments to the higher grades are made, but to my mind so long as the number of appointments in the higher grades remains 5, 7 and 16, there cannot be any selection for promotion. There are many competent men who cannot be promoted simply for want of room.

13784. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—If the number of appointments in the higher grades be increased, the interest of individual officers and of the administration will be reconciled.

13785. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The promised appointments are not usually given. They should be given to officers of approved merit.

13786. (21) Are you satisfied with the present designation "the Provincial Civil Service"?—Yes.

13787. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services, as regards salary, should be adjusted by a consideration of the terms necessary to secure locally to desired qualifications in the officers appointed? If not, what principle do you recommend?—(*i*) The only principle on which the salary should be adjusted should be in accordance with the importance of the service. It is a well-known fact that the work done by the members of the Provincial Civil Service is identical in its nature to that of the work done by the District Magistrates, Joint Magistrates and Assistant Magistrates and, in my opinion, the pay and prospects of the two services should bear some reasonable proportion to each other. It may be confidently asserted that many members of the Provincial Civil Service will hold posts of District Magistrates and other listed appointments with credit. (*ii*) The salary should compare favourably with the salaries in other services. The enrolled service has a time-scale from Rs. 300 to Rs. 1,250 in 18 years, and the members even rise to Rs. 1,800 by special merit. I beg to refer also to the Provincial Forest Service, Opium Department, Provincial Public Works Department and Superintendents of Post Offices. None of the services is in any way superior, in respect of the important and responsible nature of the work done to the State, to the Provincial Civil Service, but it so happens that the prospects of those services are better than those of the Provincial Executive Service.

13788. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—I think it was in 1906 that the cadre was increased and a large number of appointments was made, mostly in the lower grades. As it appears now, the prospects of promotion are worse than before, and this has given rise to discontent.

13789. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay are considered as adequate to secure the desired qualifications in the officers owing to the absolute lack of openings for educated young men of India. But I may mention that the exceedingly low rate of promotion cannot but have a disheartening effect and must in the long run influence the efficiency. This may be remedied by opening out the way for all officers, unless specially inefficient, to go up to at least Rs 800.

13790. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—Under the present system there is no officiating promotion in the Provincial Civil Service. There appears to be no reason why members of the Provincial Civil Service should not get officiating promotions. The system should be introduced as in the Indian Civil Service.

13791. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not? *Vide* answer to question (3).

12792. (27) As an alterative, do you recommend a system by which each main class of appointments would have a separate time-scale?—No; there should be one list till the officers reach Rs. 800; then the promotions are to be by selection. Please also refer to answers to question (3).

13793. (28) What is your experience of the practical working of time-scales of pay in other Indian services?—In all the various services mentioned above, the time-scales of pay have worked very well.

13794. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—The time-scale should be from Rs. 300 to Rs. 800 by annual increments of Rs. 50. Probationers for one year on Rs. 150. These increments would of course be subject to the condition that the officer is doing his work satisfactorily. Please also refer to answers to questions (26), (27) and (28). Whenever an officer goes on leave, the officer next in the list would officiate for him and get the pay during his absence (of course in officiating promotions transfer will not be necessary) and then reverting to his own grade pay as soon as he rejoins.

13795. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The members of the Provincial Civil Service holding listed posts should draw salary at four-fifths of of the pay drawn in the same posts by members of the Indian Civil Service.

13796. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—So far as I know the leave on full pay is as a rule taken by the officers of the Provincial Civil Service. Furlough, which is leave on half pay, is not generally taken, as they find it difficult to live on half of their small salary. In consideration of their small salary and responsible position they may be allowed three-fourths of their pay when they take furlough leave on medical certificate, etc.

13797. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Please refer to answer to question (32).

13798. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Please refer to answer to question (32).

13799. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No changes are suggested.

13800. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration; and, if so, what; and what remedy do you suggest?—There is no inconvenience to the administration. But there is inconvenience to officers as they do not get the leave when they require it.

13801. (38) In particular, are they a contributory cause of excessive transfers of officers and, if so, how can this difficulty be met?—An officer is transferred no sooner he takes leave. Sometimes when an officer is fortunate enough to get a good station or the charge of a good subdivision he does not like to take even the privilege leave, as he knows that the fact of his taking leave would bring about a transfer. I think such transfers should be avoided.

13802. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service; and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—Please refer to answer to question (32). Privilege leave not granted is not to lapse.

13803. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Present system seems to be all right.

13804. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Comparatively young officers should not be compelled to retire before 55. Those who are willing to retire may be allowed pension for a service of even ten years.

13805. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Officers of the Provincial Civil Service holding listed posts ought to be allowed to retire on half pension, that is to say, the rules of giving half pension should be adhered to.

13806. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—When an officer wishes to retire, he should not be compelled to stay on. Please refer also to answer to question (42).

13807. (45) To what extent do members of the Provincial Service subscribe, for the benefit of their families, to the Government General Provident Fund or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—6½ per cent. of the pay should be compulsorily deducted, and Government ought to contribute 5 per cent. Officers may be allowed to contribute even up to 25 per cent. if they like, but Government contribution is not to exceed 5 per cent.

13808. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Please refer to my foregoing answers about appointment.

13809. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—(i) First-class travelling allowance should be allowed to officers, as it is done in other Provincial Services, such as Opium Department, Engineers, Postal Superintendents, Forest officers, etc. Formerly, when there was the competitive examination for the Provincial Civil Service, those candidates who failed to compete, but secured pass marks, used to be taken in as Superintendents of Post Offices. Such Superintendents get first-class travelling allowance, whereas Deputy Magistrates up to Rs. 500 get only second-class travelling allowance. In consequence of this, they have to travel sometimes with such persons with whom they cannot, in consideration of their official position. (ii) Subdivisional Officers are first-class officers, but they are allowed only Rs. 4 a day as halting allowance, whereas the halting allowance for first-class officers is Rs. 5 a day. Subdivisional Officers should therefore get Rs. 5, and not Rs. 4. (iii) Deputy Magistrates in charge of subdivisions may be allowed some allowance in consideration of their responsible and arduous work. (iv) Officers posted to unhealthy districts may be allowed an allowance, so that they may live in better houses and in a better way to avoid as much as they can malaria, etc. (v) In case there is any confidential report against an officer, he ought to be informed confidentially about it, so that he may get an opportunity to improve himself or show that he was not to blame. (vi) In all subdivisions, there ought to be a Magistrate with first-class powers so that the Subdivisional Officer may get sufficient time for touring out in the mufassal for the sake of good administration and attend to other multifarious duties. As it is now, a Subdivisional Officer is to devote the major portion of his time in criminal work.

MR. A. P. PETERS called and examined.

13810. (*Chairman.*) You are a member of the Provincial Civil Service, are you not?—I am.

13811. And the Subdivisional Officer of Gaibandha, Rangpur district?—Yes.

13812. How many years have you been in the Provincial Civil Service?—Five years.

13813. How did you get into the service?—By recommendation from the District Magistrate first of all, then the Commissioner, and then the Lieutenant-Governor.

13814. What positions have you occupied?—I have been a Deputy Magistrate and Deputy Collector in different places. I was in Assam also as Extra Assistant Commissioner.

13815 You are an Indian Christian, are you not?—I am.

13816. In your written answer to question (3) you state that the cost of living has trebled in the last 15 years. Is that merely a vague statement on your part, or is it based on any definite information?—Even in my life I find that the expenses within the last 10 years have trebled, if not more than trebled.

13817. When you say they have trebled within the last 10 or 15 years, are you speaking from your experience of Calcutta or of the Presidency generally?—I should say that in the mufassal it is worse; it is very difficult to get supplies in the interior.

13818. Your experience is that the expenses of living are higher in the mufassal than in the cities?—They are very high here too; but in the mufassal I find the expenses are very high, because there is no proper supply.

13819. You suggest that officers holding listed posts should have their pay raised to four-fifths of the rate now granted to officers of the Indian Civil Service?—That is what I have suggested, having regard to the fact that the Provincial Civil Service men have to do almost the same sort of work as that which is done by the men of the Indian Civil Service.

13820. Why do you particularly mention four-fifths, if you say that they have to do the same work?—Because I know that in the Provincial Service men would not get the same pay as the Indian Civil Service men.

13821. Is it that you do not think they ought to get the same?—They would not get the same; that is why I put it at four-fifths.

13822. What I am asking you is, why you suggest four-fifths as against what has been suggested by other witnesses, that is to say, the same pay?—Because I think that the Provincial

Civil Service men will not get the same pay that the Indian Civil Service men get, even if promoted to listed appointments.'

13823. Do you desire to see the officers in the listed posts occupying the same position and enjoying the same status as members of the Indian Civil Service?—Yes, if they are promoted to the listed posts.

13824. In answer to question (42) you say you would like to see retirement after ten years on a pension?—Yes, I meant it for those who would be willing to retire after 10 years' service.

13825. And would you give them a pension? —Yes, a proportionate pension.

13826. What proportion would you give?—It may be one-third of their pay.

13827. You have not made out any financial estimate of what your proposals would cost?—No, I have not done that.

13828. In answer to question (47) you suggest that all Deputy Magistrates should get first-class travelling allowances?—That is so. All the other Provincial Services, which are not so important as our Service, are getting first-class travelling allowances.

13829. What do you mean by the other Provincial Services?—For instance, the Superintendents of Post Offices, the Opium Department, the Engineering Department, and others about which I have stated in my written answers; they are all getting first-class travelling allowances.

13830. Are Deputy Magistrates on the same level as the officers you have mentioned?—Yes. For instance, take the Post Office Superintendents; if they failed to compete in the competitive examination of the Provincial Civil Service, they got into the Postal Department, and when they got appointments as Superintendents of the Post offices they got first-class travelling allowances, whereas a Deputy Magistrate who had to compete in the examinations got a second-class allowance.

13831. Then you say that Subdivisional Officers should be allowed Rs. 5 a day for halting allowance, instead of Rs. 4?—Yes, that is the first-class halting.

13832. Have you any particular reason why you make that recommendation?—Rs. 4 is not sufficient for an officer who goes out and does his work in the mufassal, especially a Subdivisional Officer.

13833. You mean that he has to incur out-of-pocket expenses beyond the four rupees? —I should not say that he has to; in some cases he must, but not always.

13834. That is the important point, is it not, whether he is actually paying out of his own pocket for his necessary expenses?—With your permission I would point out that District Engineers, who are Provincial men, also get the first-class halting allowance of Rs. 5.

13835. And they hold similar positions to these?—Exactly.

13836. Then you speak of officers posted to unhealthy districts, and say that they should be given an allowance so that they may live in a better house and in a better way in order to avoid as much as possible malaria, etc. How can you carry that into practical operation?—It will be rather difficult, I think. The higher officials all know which are bad districts, and it should not be difficult for them to find out the bad districts and give a certain allowance to the officers there.

13837. Who is going to make the list of bad districts?—I think the statistics will show what they are.

13838. You would give an extra allowance to officers posted in those districts?—Yes.

13839. Would not that make for lack of uniformity in the pay of officers?—There are many places where a Deputy Magistrate, when he is transferred there, always likes to have a transfer, and is constantly troubling the higher officials for that transfer; but if a thing like this is done, it will be a check on that, and the officers will be able to live more comfortably and avoid malaria and things like that.

13840. Is it your experience that officers are put to expense on that score in those districts?—Yes.

13841. (*Sir Murray Hammick.*) Which of these Provincial Services do you think is the most attractive if a young man wants to go into the Provincial Service. Does he try to get into the Revenue, or Forest, or Police, or Postal, or Telegraphs?—That depends on the tendency of the man. If he has got a liking for the Forest he goes into the Forest; if he has a liking for the Law he goes into the Law.

13842. Which of those is considered to have the best prospects for a boy?—I think the other appointments have better prospects now—the Forest and Opium.

13843. How about the Police? Would you rather go into the Police than into the Provincial Service?—I have not put down anything about the Police in my proof.

13844. If you had a relation of yours asking your advice as to which department he should go into, would you advise him to prefer the Police to the Revenue, or not?—I would rather advise a friend to get into the Revenue Provincial Service.

13845. You would rather advise him to go into the Revenue Provincial Service than into the Police?—Yes.

13846. Do you think his monetary prospects would be better?—It is not for that reason. I should like the Civil Department better than the Police.

13847. You mean that he would not care for the work in the Police perhaps, but I am referring to the emoluments only; which do you think is the better department in that respect, the Police or the Revenue Department?—Some of our officers have gone into the Police; I know two or three Deputy Magistrates who have done so, and they have better prospects than what we have because they have become Superintendents of Police.

13848. Therefore you think they have better prospects in the Police than they would have in the Revenue Service?—Yes.

13849. I see you desire simultaneous examination for the Indian Civil Service?—Yes, I have said so in my written answers. As I was following the questions and answers here, it appeared to me that if the Provincial Civil Service is really put on a better footing, and if there are more State scholarships added, the present system of recruitment by open competition for the Indian Civil Service should be continued.

13850. Then you would not be in favour of this being done by simultaneous examination?—If these things are done, I may say this may be continued if more scholarships are added, and if the Provincial Civil Service is actually put on a much better footing than it is now.

13851. You would not care to see simultaneous examinations introduced then?—That is so.

13852. What I wanted to point out to you is this that in your answer to question (11) you ask for an addition to the listed posts, for six District Magistrates and Collectors to be appointed to the Service, and I suppose you would want a corresponding addition in the Judicial Service. In that case you would not ask for simultaneous examination, I suppose?—No, if the Provincial Service can be put on a better footing in that way.

13853. You would not like to see simultaneous examinations granted if all the listed appointments were taken away from the Provincial Service?—I should rather prefer the appointments to be taken from the Provincial Service than have a simultaneous examination.

13854. But if a simultaneous examination necessitated the taking away of all the listed posts from the Provincial Service, would you like to see simultaneous examinations?—No.

13855. (*Mr. Madge.*) You say in answer to question (27) that it has been found possible and expedient to employ in all branches of the administration Indians recruited for the Indian Civil Service in England. So far as the matter has come under your observation, do they make equally good Executive officers as Englishmen?—Yes, in some cases they do.

13856. Since the last Public Service Commission have you found that the Provincial Bar has prevented men rising to higher appointments than they did before? Before the last Commission men were occasionally raised from the Uncovenanted Service to posts previously held by the Covenanted Service. Since this division of the lower service has been called Provincial, have you found that fewer promotions of that kind have taken place?—I do not know, I have not seen that.

13857. You say you prefer the appointment of a Deputy Magistrate to one in the Police; do you mean by that the Inspectorships or the Assistant Superintendentships of the higher grades?—I mean appointments in the Police Department as a whole.

13858. You mean the Inspectorships?—No, the Police Service.

13859. (*Mr. Chaubal.*) With regard to your answer to question (11), have you had any legal training?—Yes.

13860. Are you a B.L.?—No, I had the departmental examination.

13861. Do not Assistant Judges and Sessions Judges do civil work?—Yes, but I meant only the criminal portion of their duty; that is the reason why I put in Sessions Judges and not District Judges.

13862. Are there Assistant Judges and Sessions Judges who do no civil work?—No, this is a new suggestion altogether, *i.e.*, to promote Deputy Magistrates as Judges for the criminal portion of the work and Subordinate Judges as Judges for the civil portion of the work.

13863. You want two posts created only doing criminal work?—Yes, I want Subordinate Judges to be promoted to District Judgeships and Deputy Magistrates to Sessions Judgeships, *i.e.*, only those officers of the Provincial Civil Service found fit for listed appointments.

13864. Which do you want?—The Sessions Judgeships.

13865. You want the thing split into two and the Sessions Judges to have criminal powers?—To be given to the Deputy Magistrates.

13866. That is to say the Indian Civil Service criminal powers should be taken away and should be given over to Deputy Collectors? Those who are promoted from the Judicial Service may be made Assistant District Judges, and those who are promoted from our Service may be styled Assistant Sessions Judges.

13867. What posts would you give to the present Judicial Department?—The judicial work.

13868. How many listed posts would you have for them?—I have not worked that out.

13869. You simply want that, in addition to the four posts which the Executive branch now has in the listed posts, they should get some more?—Yes, if there are four, the work should be divided into four for the executive work and four for the judicial.

13870. That is so at present; there are four for the judicial and four for the executive; out of eight posts four are given to the Judicial branch and four to the Executive branch?—But the Deputy Magistrates are made District Magistrates and not Assistant Sessions Judges.

13871. You want Assistant Sessions Judges' powers to be taken away from those who now get the listed posts and handed over to the Executive branch?—Yes.

13872. You do not want any more places?—Yes, I have stated that we want more listed appointments.

13873. In connection with this point do you want any addition to be made to the eight places?—Yes, I do.

13874. Then look at your answer to question (12), where you say "In subdivisions there ought to be at least one first-class Magistrate in addition to the Subdivisional Officer in order that the Subdivisional Officer may pay proper attention towards the administration of his subdivision and his tour work." Am I to understand from that answer that on account of the Subdivisional Officers having to do criminal work they do not find sufficient time for the disposal of the administrative work?—Exactly so, they get very little time.

13875. That is to say, the Subdivisional Officer on account of his criminal work has to let his administrative work suffer?—Yes, to a certain extent the work suffers.

13876. And you want this separation of the two duties?—Yes. I may add that in my personal experience I have not got even an officer with second-class powers during the last three months, and that is why the work suffers.

13877. You mean to say that in your own case you are not able to do the administrative work as well as you would be able to do it if you had magisterial powers given to some one else?—Not the entire magisterial power, but part of it.

13878. If you were relieved of part of your magisterial work you would be able to find time to do your administrative work better?—Yes. I should be able to tour about in the mufassal more than I can do now.

13879. (*Sir Theodore Morison.*) In answer to question (29), do I understand you rightly that you propose a higher scale of Rs. 300 to Rs. 800 rising by annual increment of Rs. 50?—Yes.

13880. According to your scheme they would reach their present maximum in ten years?—I think to Rs. 800 in 10 years. According to my suggestion the maximum is Rs. 1,200 and not Rs. 800.

13881. With one year's probation?—Excluding one year's probation at Rs. 150; that would make it 11 years and not 12 to go up to Rs. 800.

13882. That is an enormous increase in salary over the present system. How long does it take a man to get to the Rs. 800 grade now?—The majority of the officers never get to Rs. 800 at all.

13883. How long does it take those who do?—The very lucky officers take about twenty-five years or more.

13884. And you propose he should get it in half the time?—Yes.

13885. (*Mr. Mukherji.*) You said just now you would give one third pension to a man who voluntarily retired after ten years' service. Do you know that under the present rules a man who is invalided after ten years' service gets only one-sixth?—That is not sufficient, and that is why I said he should get more.

13886. Then you want men of the Provincial Service to be made Assistant Sessions Judges?—Yes.

13887. That is only a preparatory step to their being appointed District and Sessions Judges?—Not District Judges but as Sessions Judges.

13888. Do you want to split the appointment of the District Judge into two parts?—Yes.

13889. That would mean that you would require two Judges for every district?—Yes.

13890. Have you ever thought of that?—Yes, I have thought of that.

13891. That would mean an enormous increase in the cadre of the Indian Civil Service?—Yes.

13892. (*Mr. Sen.*) Do you recommend first-class travelling allowances for Deputy Magistrates?—Yes.

13893. Do you recommend the same for Munsifs?—Yes.

13894. You say that Deputy Magistrates should be appointed Sessions Judges, but that is not practicable at present so long as the powers of District and Sessions Judges are vested in one and the same Judge?—No, it is not practicable then.

13895. Your scheme is that the judicial should be separated from the executive, or that the civil and criminal work should be separated?—I mean separation of civil and criminal work. The Deputy Magistrates will become Sessions Judges, and Munsifs and Subordinate Judges would become District Judges.

(The witness withdrew.)

C. C. GHOSE, Esq., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

13896. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think, subject to what is stated hereinafter, that the present system of recruitment by open competition in England for the Indian Civil Service works very well, and I accept it as generally satisfactory in principle.

13897. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Except as hereinafter stated, I do not think that the present system is faulty in detail and have no alterations to suggest.

13898. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I think the present system is suitable for all natural-born subjects of His Majesty, including Indians. It operates, however, as a most grievous hardship on Indians, inasmuch as the examination is held in England.

13899. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the advantage of Indian interests? Please give your reasons?—I think it is to the advantage of Indian interests, and it increases the chances of India getting the best men available.

13900. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alteration you would propose? (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty? (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—(5) to (7) At the outset I may say I agree in the opinion that an adequate proportion of the members of the Indian Civil Service should be Europeans. Constituted as the Government of the country at present is, and having regard to India's connection with England and to what has been done for India by England, I entirely agree that for a long time to come we must be dependent on the assistance of Britishers in so levelling up the country that it may be ultimately possible to entrust Indians with a real measure of self-government within the Empire. But the important question which is awaiting decision is what that proportion of Europeans in the Indian Civil Service should be, having regard to the changing conditions of the country and having regard to the fact that there has been admittedly created an educated class in India from among whom it is possible to select suitable men for positions in the higher ranks of the public service. It has been said that, if British rule should exist in India, it is absolutely necessary that there should be an "irreducible minimum" of British officials in India. But the question naturally arises: what is this "irreducible minimum?" The words "irreducible minimum" should not be interpreted in such a way as to deprive the Indian people of an effective voice in the direction and supervision of the administration of their own country. It is not merely a question of careers for our young men or of rupees, annas and pies, but it is a most vital question whether the dwarfing or stunting of the Indian race which is going on under the present system is to be allowed or not. In other words, the real question is, as has been said by an eminent Indian publicist, whether we are to be denied the upward impulse which every schoolboy in England feels, that he may one day be a Gladstone or a Nelson or a Wellington, and which draws forth the best efforts of which he is capable, and whether the full height to which our manhood is capable of rising is to be reached or not. With these words I come straight to these questions, and I say that the present system of recruitment by open competition in England for the Indian Civil Service operates as a grave hardship upon His Majesty's Indian-born subjects, and the alternative I would propose is the one indicated in the resolution of the House of Commons, dated the 2nd June 1893, subject to certain qualifications and safeguards as mentioned below. It is admitted on all hands that under present arrangements His Majesty's Indian subjects are over-weighted as compared with European candidates in the competition held in London. (See, for instance, the speech of His Grace the Duke of Argyll, Secretary of State for India, on the 11th March 1869.) This admission is implied on the assumption that if simultaneous examinations were introduced, the proportion of Indians who would succeed would be largely increased, and in the contention that the change would be fraught with various dangers connected with such increase. I desire to say a word in passing as regards the theory of danger to British rule in India. I maintain that the very existence of these Indian-born civilians would be bound up in the maintenance of British supremacy in India, and that no more loyal supporters of British rule in India would be found than within their ranks. The bulk of these Civilians would be employed in ordinary executive and judicial offices, to the ordinary duties of which they may be expected to be quite equal. The principles of administration and legislation will not be determined by them, and there is no reason whatever to suppose that authority, power and responsibility would fail in case of these Civilians to produce their usual effects of developing strength and energy; and there is likewise no reason whatever to fear that, given the high training guaranteed by the conditions of entry into the Indian Civil Service, these Indians will bring down the tone of administration in this country. It may be said that the question of simultaneous examinations in India was considered by the Public Service Commission of 1886 and negatived by it, and that the question was further considered by Lord Lansdowne's Government in 1893 and rejected by them, and by Sir Henry Fowler, the then Secretary of State for India, and that practically everything on the subject has been said. In the first place, I desire to point out the recommendation of Sir Charles Aitchison and his colleagues that "on a full consideration of the evidence before them it was inexpedient to hold an examination in India for the Covenanted Civil Service simultaneously with the examination in England" was against the weight of evidence taken by them, as will appear from the following table. I will take the witnesses examined presidency by presidency and province by province, and show in what direction the balance of testimony lies:—

1. Bengal.

Total number of witnesses examined			195
For simultaneous examinations		143	
Against simultaneous examinations		35	
Majority for	108		
Neutral or doubtful		17	
		195	

2. Madras.

Total number of witnesses examined			100
For simultaneous examinations		63	
Against simultaneous examinations		25	
Majority for	38		
Neutral or doubtful		12	
		100	

3. Bombay.

Total number of witnesses examined			112
For simultaneous examinations		64	
Against simultaneous examinations		38	
Majority for	26		
Neutral or doubtful		10	
		112	

4. North-Western Provinces and Oudh.

Total number of witnesses examined			68
For simultaneous examinations		31	
Against simultaneous examinations		29	
Majority for	2		
Neutral or doubtful		8	
		68	

5 Punjab.

Total number of witnesses examined			80
For simultaneous examinations		36	
Against simultaneous examinations		26	
Majority for	10		
Neutral or doubtful		18	
		80	

6. Central Provinces.

Total number of witnesses examined			4
For simultaneous examinations		24	
Against simultaneous examinations		10	
Majority for	14		
Neutral or doubtful		8	
		43	

Summary.

Provinces.	For.	Against.	Doubtfu
1. Bengal	143	35	17
2. Madras	63	25	12
3. Bombay	64	38	10
4. North-Western Provinces and Oudh.	31	29	8
5. Punjab	36	26	13
6. Central Provinces	24	10	8
Total	361	163	73

Majority for ... 198 or 63·8 *per cent.*
Over, Against and doubtful ... 125 or 60·4 *per cent.*

Of the 361 in favour even then so many as 49, or 13·5 per cent. were Europeans, not from any one part of India, but from all parts of India. I humbly submit that having regard to the figures set out above and to what may be further revealed on a closer analysis of the materials before the Commission, it increases one's wonder that on the face of the evidence they took and in view of the instructions they received from Lord Dufferin's Government the Commissioners of 1886 could have reported in the manner in which they did. The arguments that were advanced by Lord Lansdowne's Government will be found elaborated on pages 65 to 94 of the Parliamentary paper C-7378. Stated in the briefest possible terms, Lord Lansdowne's Government apprehended certain "practical difficulties" in introducing any scheme of simultaneous examinations for the Indian Civil Service in England and in India, and they thought that the condition that an adequate proportion of the members of the Indian Civil Service should always be Europeans, upon which Lord Kimberley had insisted, was in itself destructive of the resolution passed by the House of Commons. They were further of opinion that no material weakening of the European element in the Indian Civil Service was possible with the safety of British rule in India, and they went on to observe that the "pledges" upon which Indians had been insisting merely announced in the first place the removal of certain disabilities and in the second place they were expressly limited by the famous words of Her late Imperial Majesty Queen Victoria "so far as may be" in her Proclamation of 1858, and that open competition was not the best way of selecting Indians for the higher ranks of the service. In the first place, I beg leave to observe that the question of the practical difficulties in introducing the scheme of simultaneous examinations was considered by the Committee consisting of Sir J. P. Willoughby, Mr. Mangles, Mr. Arbuthnot, Mr. Macnaghten and Sir Erskine Perry (all Anglo-Indians by the way), appointed by the Secretary of State in 1860, and they reported that the scheme could be carried out without any difficulty whatsoever (see paragraph 6 of the Report of the Committee, dated the 20th January 1860). Lord Lansdowne's Government questioned the possibility of maintaining the secrecy of the examination papers if sent out to this country; but it stands to reason if the changes announced by His Majesty the King-Emperor at Delhi could have been kept secret for several months till the day of the Durbar, the secrecy of examination papers sent out to this country can be maintained easily. The British Government would expose itself to universal ridicule if it were to seriously put forward an argument of this description against the introduction of simultaneous examinations for the Indian Civil Service. I desire next to observe that whether the condition insisted upon by Lord Kimberley was in itself destructive of the resolution passed by the House of Commons or not, I think it will go a great way towards producing real contentment in the country, and towards securing real comradeship between Europeans and Indians in the public service, and towards giving tangible effect to the beneficent intentions of the English people, if one-half of the whole annual recruitment for the Indian Civil Service is reserved, as is indicated below, for the Indian-born subjects of His Majesty. I do not by any means wish it to be understood that this figure of one-half is to be fixed for all time, but I do maintain that this is the "irreducible minimum" to which it is possible for Indians to agree. Next I desire to observe that no one wishes to endanger the safety of British rule in this country. It may be unfashionable to state that the safety of British rule in this country really depends upon the contentment and happiness of the Indian people; but no one can doubt that that is the honest truth about the matter. As I have said above, we require European assistance in a great measure in the administration of this country. But that does not legitimately lead to the conclusion that there must always be a charmed circle—call it *corps d'élite* if you like—to which no Indian can be allowed access. I know Lord Curzon held this theory; but the untenableness of the position taken up by Lord Curzon was demonstrated by Mr. Gokhale in the budget discussion of 1905, and to some extent also by Lord Morley (then Mr. John Morley) from his place in the House of Commons.

As regards the theory that a certain "irreducible minimum" of Europeans is necessary in India, I humbly submit that there ought not to be so great a minimum as now exists. The highest posts in India may certainly continue to be occupied by Europeans, but it is a moot question as to whether the time has not now arrived, after nearly 200 years of British rule in this country, when a reasonable proportion of the men in the Indian Civil Service may not be Indians. In Bengal we have had several Indian officers who have managed heavy districts with conspicuous success, and it has never been hinted that the tone of district administration under Indian officers in Bengal has in any instance deteriorated. On the contrary, testimony has been borne by senior European officers in the Indian Civil Service to the efficiency of district administration by Indians (see, for instance, the evidence of Mr H. J. Reynolds, Member, Board of Revenue, Bengal, before the Public Service Commission of 1886). In the next place I take leave to observe that the pledges referred to above cannot be explained away in the manner adopted by the Government of India in their despatch of the 17th November 1883. I will not pause after Lord Morley's interpretation of the Proclamation of 1858 to discuss at any length the meaning sought to be attached to it by Lord Lansdowne's Government.

I pass on to the last objection urged, namely, that open competition was not the best way of selecting Indians for the higher ranks of the service. Confining myself to Bengal, I may observe that the competitive system for entry into the Executive branch of the then Uncovenanted Civil Service was found to be a success by men like Sir Richard Temple and Sir Steuart Bayley, and that although at a later period the system was altered into one of mixed competition and selection, it cannot be gainsaid that the men who were admitted as the result of a competitive examination in Bengal have always given satisfaction by the efficient discharge of their duties. I adopt entirely what was said by Mr. Kisch, I.C.S., before the Public Service Commission of 1886 in answer to questions Nos. 2242 and 2331, and I think that if the examination is properly regulated and framed, it might be a pretty accurate test of a man's ability for the Public Service. I do not think that a competitive examination would exclude the Muhammadans or other races similarly situated. Education has made great strides among the Muhammadans since 1893, and at the present moment, to the thanks impetus given by the educational movement among the Muhammadans, there are numbers of educated Muhammadans who are generally able to hold their own against their Hindu or English compeers. The conclusion that I come to and the suggestion that I humbly beg leave to place before the Commission is that, instead of an open competitive examination in England for the Indian Civil Service being maintained, there ought to be simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty, and that one-half of the annual vacancies should be filled by Indians. The scheme that I suggest is this: supposing that in one particular year there are 60 places vacant in the Indian Civil Service and examinations are held simultaneously in England and in India, then 30 places would be reserved for Indians. Should, say, five candidates of Indian birth be successful at the open competition in England, then only 25 among the successful Indian candidates at the open competition in India would be taken in. I would further suggest that those 25 should be made to go to England to undergo a period of probation at some University in England. If there are no Indians successful in England, then the whole 30 will be filled up from candidates in India. In the case of candidates appearing in India, it should be laid down that there should be a minimum number of marks necessary to be obtained. In other words, what I suggest is this: hold simultaneous examinations in England and India and arrange all candidates in one common list in order of merit, but subject to this condition, that Indians in excess of one-half of the total number of vacancies offered for competition would be passed over in favour of the Europeans next below them in the list; and conversely, that Europeans in excess of one-half would be passed over in favour of Indians. I think the examination in England and in India should be the same, and I am not in favour of a separate examination in India or separate examinations in each province or group of provinces in India. I am familiar with the reasons which Sir Dennis Fitzpatrick gave in favour of separate examinations for each province (see page 53, Parliamentary paper C-7378), but I think the balance of argument is altogether against separate examinations. Before leaving this subject I desire to observe that the question of simultaneous examinations is not a new cry of these latter days. As early as 1860 it was considered by a Committee appointed by the Secretary of State, and it was strongly recommended as being the only way of redeeming the honour of England and doing justice to India. In their memorial dated 13th August 1867, the East India Association of London laid stress on the question and begged of Sir Stafford Northcote, the then Secretary of State for India, to take the question into his earnest consideration. It may be observed in passing that the East India Association of London was prepared to agree to only a certain proportion of appointments being reserved for Natives of India. Sir Stafford Northcote, the then Secretary of State for India, in answer to the deputation which waited on him on the 21st August 1867, was inclined to approve of the proposal. The British Indian Association of Calcutta submitted memorials on the subject to Lord Lawrence's Government early in 1868, and the late Mr. Fawcett raised the question in the House of Commons on the 8th May 1868. Lord Lawrence also considered the matter in his despatch dated the 13th June 1868; and Sir Stafford Northcote in his despatch dated the 14th October 1868, which instituted the scholarship scheme, dealt with the question. The Duke of Argyll, however, gave orders for discontinuing the scholarship scheme, and his remedy was the Act of 1870, a small and tardy measure of justice to India. It is unnecessary to go into the history of the rules made under the Act of 1870 and of what was ultimately done in 1879; the question, however, was definitely forced upon the attention of the Government of India and of the India Office by the memorials from the Indian Association in 1883 and by the deputation which waited on the Marquis of Hartington early in 1884. Lord Ripon's Government was inclined to agree that 18 per cent. of the annual recruitment should be reserved for Natives of India. (This was in 1884.) But Lord Kimberley vetoed Lord Ripon's proposals. Then came the Public Service Commission of 1886, and it is well-known how the concurrence of the three Indian members of that Commission mentioned in the famous paragraph 60 of the Commission's Report was obtained to the scheme therein. Mr. Paul's resolution in the House of Commons is within living memory, and it is unnecessary to deal with what has been done and said on the subject since, except to point out that the only really representative body composed of educated Indians, namely, the Indian National Congress, has in every year very properly insisted upon the supreme importance of the question and upon the imperative need of the ruling race being magnanimous enough to grant this measure of justice to India.

13901. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—As I have said before, I am in favour of a competitive system only. It is undesirable to introduce the principle of representation in the matter of appointments to the Indian Civil Service.

13902. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I certainly think that even if simultaneous examinations were introduced, there ought not to be any restrictions whatsoever in the matter of eligibility of Indians for appointment by open competition if England.

13903. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The scheme I have recommended would be in lieu of the present system of promoting to listed posts officers of the Provincial Civil Service. But if it is rejected and a smaller proportion than one-half is accepted, then I would retain the present system.

13904. (11) Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—As regards recruitment for the judicial branch of the Indian Civil Service, I think the proper course is to open out all the judgeships in India to the subordinate judiciary and to the legal profession. I adopt entirely what has been said by Sir Ernest Trevelyan in the Law Quarterly Review, Volume 17, page 77, on this subject.

13905. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am not satisfied with the definition of "Natives of India" referred to in this question. I would include in the expression "Natives of India" subjects of what are called the Native States of India.

13906. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I think the present age-limits are suitable.

13907. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—The most suitable age is 24 or 25.

13908. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I do not recommend any differentiation.

13909. (16) What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—As regards the authorised syllabus of subjects and marks prescribed for the open competition, I think greater weight should be given in the scheme of the examination to the Oriental classical languages so as to make them equal to the classical languages of Europe. I suggest also the following:—

Indian History ...	... 1,000 marks.
Hindu and Muhammadan Law	500 "

13910. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—I suggest no differentiation should be made.

13911. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—I would reserve by statute certain posts in the executive line only for members of the Indian Civil Service.

13912. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—See previous answers. In the event of simultaneous examinations being not introduced I would not limit the proportion of Indians in the Indian Civil Service.

13913. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?—Yes, the competitive test being applied in India as far as it is practicable.

13914. (21) Do you consider that the old system of appointment of "statutory civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I would revive the Statutory Civil Service if simultaneous examinations are not introduced, but I would throw it open for competition.

13915. (22) If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—I am against recruiting military officers in India for posts in the Indian Civil Service cadre.

13916. (23) Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—

I am against recruiting Military officers in India for posts in the Indian Civil Service cadre.

13917. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The system has not been a success, because generally old and effete men have been appointed.

13918. (25) Are you satisfied with the present rule which prescribes that Natives of India other than members of the Provincial Civil Service or Statutory Civilians may be appointed to one quarter of the listed posts?—I do not know whether the rule has been applied in practice.

13919. (28) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If my scheme is rejected, then I suggest that facilities on a liberal scale should be given to Indian students to proceed to England with a view to compete for the Indian Civil Service. I suggest the revival of Sir Stafford Northcote's scheme of scholarships: there ought to be at least 50 scholarships for a country so large as India. Further, I suggest that unsuccessful Indian Civil Service candidates should be employed in the other public services in India.

13920. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service? (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—(29) and (30) I certainly think that there should be a period of probation before the candidates are admitted to the service, and the period should be two years in the case of candidates appearing in India in my scheme instead of one. The course of study should include a compulsory subject in Indian law and in the vernacular of the province to which the candidate is allotted.

13921. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty?—I am opposed to any differentiation as indicated in question (31).

13922. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India?—Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The probationer's course of instruction should be spent in England.

13923. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—I do not think it desirable to start any colleges in India.

13924. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I think that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole of the first two years of service at different centres under selected officers.

13925. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am dissatisfied with the present arrangements for the training of junior officers of the Indian Civil Service for the Judicial branch. If the present conditions of the service are to be maintained, then I would suggest the remedy which is indicated on page 81 of the article by Sir Ernest Trevelyan referred to above.

13926. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I believe there has been. The causes are—(i) spread of English education among Indians; (ii) frequent absences in Europe.

13927. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—The standard of the departmental examinations should be raised as regards Judicial officers—*see* previous answers.

13928. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—I suggest the Calcutta B.L. course.

13929. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—Yes, I should recommend that they should be employed for a few years as Munsifs and Sub-Judges.

13930. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—I am opposed to any differentiation.

13931. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The system of probation and training I recommend for Indians is exactly the same as for Europeans. I am opposed to any differentiation.

13932. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent and of unmixed European descent? If so, please state your proposals?—The system of probation and training I recommend for Indians is exactly the same as for Europeans. I am opposed to any differentiation.

13933. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished; and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I am strongly opposed to the exchange compensation allowance introduced in 1893. I would abolish it, but I would allow increase in the salaries.

13934. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—If there is to be any increase then I would allow an increase all round, irrespective of nationality or domicile.

Written answers relating to the Provincial Civil Service.

13935. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think a small proportion of appointments should be reserved for nomination: the rest should be thrown for open competition.

13936. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—I think that recruitment should not be restricted to residents of the province to which it belongs.

13937. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—I think that recruitment should not be restricted to residents of the Province to which it belongs.

13938. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Efficiency should always be regarded as the primary and essential condition.

13939. (57) To what extent are the functions of the officers of the Executive and Judical branches of your Provincial Civil Service differentiated? Is any change desirable; and, if so, in what direction?—I do not quite follow what is asked. I suggest complete separation of executive and judicial functions.

13940. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The scale of salaries requires immediate revision. The salaries should be increased.

13941. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The scale of salaries requires immediate revision. The salaries should be increased.

MR. C. C. GHOSE called and examined.

13942. (*Chairman.*) You are a Barrister-at-Law?—I am.

13943. Have you ever occupied any position in the public service?—I have not.

13944. Would you tell me to what caste you belong?—I am a Hindu Kayastha.

13945. In your answer to question (7) you lay stress on the volume of evidence in favour of simultaneous examinations given before the Public Services Commission of 1886. I suppose you admit that it is not only the volume of evidence that a Royal Commission has to regard, but also the weight of the evidence?—Certainly, and I have indicated that also.

13946. You say you are in favour of what you call simultaneous examination in India open to natural-born subjects of His Majesty, and suggest that one-half of the annual vacancies should be filled by Indians?—That is so.

13947. Do you mean that one-half of the vacancies should be filled by Indians, or should be open to competition by Indians?—Open to competition by Indians, and should be filled by Indians.

13948. But not necessarily filled by Indians?—Yes. I also mean that they should be filled by Indians. Of course if there are no qualified Indians available, that is another matter.

13949. Then you go on to say, "Should, say, five candidates of Indian birth be successful at the open competition in England, then only twenty-five among the successful Indian candidates at the open competition in India would be taken in." This scheme, as I read it, would be for a separate examination, and not a simultaneous examination?—I would not advocate a separate examination. I would have a simultaneous examination, the same examination held in London and in India.

13950. That is what you say, but I want to get quite clear what you mean by your proposal. Under a system of simultaneous examination, as I understand the expression, examination would be held in India and in England, say, for 80 candidates, and the first 80 men, whether they were Europeans or whether they were Indians, would be admitted to the Service?—That is so, subject to the qualifications which I have indicated. I have also said that in the case of candidates appearing in India it should be laid down that there should be a minimum number of marks obtained.

13951. But if it is a simultaneous examination on a competitive basis, why do you require a minimum qualification?—Because I do not want it to be said that the Indians who get in as the result of a competitive examination in India are in any way inferior. That is the reason why I am insisting upon the fact that it would be necessary to lay down a minimum number of marks.

13952. I merely want your explanation. As I read your proposal it seems to me that it is not for a simultaneous examination such as I have alluded to, but for an examination to take place in India for Indians on a qualifying basis. Thus if our twenty-five Indians were required to make up half, that number would be obtained by examination in India?—It is a scheme for a modified simultaneous examination.

13953. But am I right in my interpretation? —Yes, to a certain extent.

13954. That is not simultaneous examination, you know?—I have not elaborated it in that way, but I can easily do it.

13955. I am trying to get from you an explanation of the scheme which you have put forward?—What I say is this, that there should be simultaneous examinations, the same examination held in London and in India, with this reservation, that half the places should be reserved for Indians.

13956. Is that what you understand by simultaneous examination? That is separate examination, is it not?—I would not call it separate examination.

13957. You say that half the number of places is to be reserved for Indians, and that their admission to the Service is to be quite irrespective of the position which they held in relation to the European candidates examined at the same time?—The question of marks would come in then.

13958. How?—Take for instance this case. Supposing 60 places are vacant, then I suggest that 30 places should be reserved for Indians. The same examination would be held in London and in India, and the candidates who came out as the result of the competitive examination in London and in India would be classified in one list, subject however to this qualification, that 30 Indians would have to be taken in. A minimum number of marks would be necessary. That has to be looked into, and if they satisfy that requirement then 30 Indians will be taken in.

13959. And the examination would be conducted by the Civil Service Commissioners?—Yes.

13960. The papers would be looked over by them and marked by them along with the papers put in in England?—Yes.

13961. Therefore, if out of your 60, 40 Europeans and only 20 Indians were successful, 10 Europeans would have to stand aside to make up the 30 Indians who would be brought in, provided they qualified?—Yes, provided they are qualified.

13962. Do you think that would be a satisfactory solution of the problem?—That is how it strikes me.

13963. Would it be satisfactory to the Europeans?—It would be satisfactory from the Indian point of view.

13964. You are desirous of seeing a strong European administration maintained?—Certainly.

13965. Do you think the adoption of a proposal of that character would tend to keep alive a strong European administration?—I think so; it is a proportion of half and half.

13966. But do you think it would encourage best the class of Europeans to go in for the if they were to know that they might be called upon examination to stand side?—If you increase the prospects and the pay, and improve the rules as regards removal of blocks in promotion, and so forth, I do not see why the best class of European candidates should not come forward.

13967. Even with that in front of them?—Yes.

13968. Then you say that Indians have been found fully equal to the ordinary duties of district posts and to coping with situations of special difficulty. Is that your personal experience?—No, mostly from what I have read and from what I have heard.

13969. Would that be in this Presidency?—Yes, in the Bengal Presidency.

13970. Your scheme, if it were carried out, would entail the abolition of the listed post system, would it not?—Yes.

13971. Do you think this could be done without detriment to the prospects of those officers who are in the Provincial Service?—I do not think there could be any grievance, if the British Government were generous enough to grant us the scheme I have outlined.

13972. You think that the large admission of Indians would counterbalance any grievance in that direction?—That is so.

13973. Of course your scheme would mean the immediate inclusion of half the recruits in the administration?—I do not think that could happen because you will not have for a great number of years qualified candidates. For a large number of years I do not think you could possibly have qualified candidates in India.

13974. What kind of standard would you set up?—That I would leave to the Civil Service Commissioners.

13975. Do you think it should be of so stiff a character that Indians would not be able to attempt it in the immediate future?—That is so.

13976. In answer to question (11) you recommend that Judgeships should be open to the subordinate judiciary and to the legal profession?—Yes, I do.

13977. Would you allow these posts to be filled by members of the Indian Civil Service as well?—For the present I would retain them as open to the Judicial branch of the Indian Civil Service, but that is for the present only.

13978. You mean that afterwards they would be filled exclusively from the subordinate judiciary and the legal profession?—Yes.

13979. What effect would that have on the aspirations of members of the Indian Civil Service?—They would still have a sufficient number of posts to occupy.

13980. On the executive side?—Yes.

13981. But you would exclude them from all judicial posts?—Yes, because I think the judicial posts ought to be occupied by trained lawyers.

13982. You do not agree with those who suggest that an Indian Civil Servant can be trained?—If the Judicial branch of the Indian Civil Service is to be retained, then they should be given an adequate training, but I would rather have judicial posts occupied by trained lawyers.

13983. Quite separate from the executive?—Quite separate from the executive.

13984. You say that generally old and feeble men have been appointed to the listed posts?—That is so.

13985. Do you think that all the officers now holding listed posts would agree with you?—I have said so quite generally. There is no doubt there are honourable exceptions, and some are present in this room.

13986. What would you say was their average age on appointment?—I am specially referring to the appointments which have been made in recent years to the posts of Assistant Judge and District and Sessions Judges, and generally men over fifty-five have been appointed in Bengal.

13987 You regard that as too old?—Yes.

13988. Then in answer to question (21) you say that you would revive the Statutory Civil Service if simultaneous examinations were not introduced?—Yes.

13989. And you would throw it open to competition?—Yes.

13990. You do not hold the view that many people hold with regard to the Statutory Civil Service?—No I say that if the original intentions of the framers of the scheme were carried out you would have a class of men who would do credit to themselves and render very useful service to the State. I am specially referring to the speeches made in Parliament by the Duke of Argyll and the late Sir Stafford Northcote.

13991. You would have competition tempered by nomination?—I would throw it open to competition; I would have no nomination at all.

13992 In answer to question (23) you say that in default of simultaneous examinations you would suggest the establishment of not less than 50 scholarships to enable candidates to go to England?—Yes, that is a small number compared with a large country like India.

13993. Can you tell me on what principle you would allot these scholarships?—I would revive Lord Lawrence's scheme of scholarship. Lord Lawrence established nine scholarships for the whole of India, and that if I remember aright was considered rather too low a number by Sir Stafford Northcote. The Duke of Argyll, when he came into office, abolished those scholarships. I am suggesting their revival in the event of simultaneous examinations not being granted.

13994. Would you allocate so many to each province?—I would leave it to the Government of India.

13995. Would you grant a sufficient scholarship to enable an Indian to go to England for a course of three years?—Deserving Indians, Indians who have shown by their academic career that they will be able to justify the promise of their youth.

13996. How many years would you give them?—Three years.

13997. In answer to question (51) you allow for a certain amount of recruitment to the Provincial Civil Service by nomination?—Yes, for the present.

13998. What influenced you to make this suggestion?—I might explain it by a concrete case. Take the case of a very deserving officer who suddenly dies, leaving his family unprovided for. If he has left a son who is well qualified I would allow the Governor to nominate such son for such post as he might consider him to be qualified for.

13999. In answer to question (60) you recommend an increase of salaries for the Provincial Service. Have you any idea of what that would cost?—No, I have not, but I think the present salaries require revision. Having regard to the rise in prices of almost everything necessary for life I think the salaries should be increased.

14000. Right through all the grades?—Yes.

14001. (*Lord Ronaldshay.*) I want to clear up in my mind some difficulties which occur to me with regard to your scheme of recruitment for the Indian Civil Service. First of all, do you agree with the great mass of evidence which has been put before us to the effect that if an unconditional system of simultaneous examination were instituted in this country very few Indians would as a matter of fact find their way into the service for, at any rate, a great number of years to come?—I entirely agree.

14002. Very few would come out high enough in the list to obtain places in the Civil Service?—That is so.

14003. Let us now consider your scheme in the light of that opinion. Your scheme is that there are to be, for instance, 60 vacancies filled in the course of a year, and I assume from what you have just stated that you hold the opinion that very few of those vacancies would be filled by Indians. If they were drawn up in accordance with an order of merit, shall we say five Indians would come out in the first 60?—Yes.

14004. So that your examination would result in 55 Europeans and five Indians getting through?—Yes.

14005. Then according to your scheme are you going to tell 25 successful Europeans that they are not to receive the due reward of their labours?—I say that to serve one's country is the inalienable right of every subject, and no obstacle should be thrown in the way.

14006. But really that is not an answer to my question, which is this. Under your scheme would you tell the 25 successful Europeans that they were not to be selected for the service?—I do not think the candidates would understand it in that light, and besides, if they did so understand it, justice to India would require such a scheme.

14007. I am not really asking you on that point. I want to know definitely whether under your scheme it would be necessary to tell 25 successful European candidates that their services could not be availed of in the Indian Civil Service?—They would know that according to the regulations.

14008. Am I to understand that your answer to my question is Yes?—Yes, it would be necessary, because the regulations would be published.

14009. Then am I also to understand that under your scheme you would tell 25 unsuccessful Indian candidates that they were to receive the reward which ought in accordance with the order of merit to have gone to the 25 successful European candidates?—Yes, provided they obtained the minimum number of marks.

14010. Could such a scheme as that really be described as a competitive system of examination?—It is a modified competitive system, but it would be a system which would give satisfaction in India.

14011. I think you will admit it would be a very much modified competition. Although you say it will give satisfaction in India, do you think it would give satisfaction to the 25 successful European candidates?—Possibly it would not.

14012. And if it did not, what effect do you think that would have on recruitment from the best classes of European candidates in the future?—As regards the question of recruitment that would depend on many other considerations. It is said now-a-days that the Indian Civil Service is not so attractive, but if one goes into the question deeply one finds that, compared with the prospects in England the Indian Civil Service is not after all so unattractive as it is supposed to be.

14013. But would not you render it very much more unattractive if the Englishman when he went in for the examination knew that he would run the risk, although he passed high, of being told that he was not to have an appointment?—To a certain extent possibly it would be.

14014. Do you think under those circumstances you would get the best class of educated Englishman to come forward as a candidate for the Service?—I think so, if you pay them sufficiently well.

14015. Even if he knew he had to run the risk of not being appointed after he had passed his examination?—Yes.

14016. I must differ with you at once. In answer to question (11) you say you adopt entirely what has been said by Sir Ernest Trevelyan in the Law Quarterly Review, Volume 17, page 77?—Yes, I have the book here.

14017. Was there any particular recommendation that Sir Ernest Trevelyan made?—He does make one on page 81. He says there: "If the claims of the service are not strong enough to outweigh the necessity of filling these important posts with the best men available, then the proper course is to open out all the Judgeships in India to the subordinate judiciary and to the legal profession. Whatever might have been the case in old days, there is no doubt that now the supply is quite equal to the demand. The native judiciary is highly educated and well trained. Moreover, except in very isolated cases, they are now free from the charges which used to be made against them, namely, of being wanting in impartiality and judicial purity. The greater number of important civil cases are now tried by Native Subordinate Judges, and the reports of the decisions of the Judicial Committee of the Privy Council show that frequently the opinion of a single Subordinate Judge is preferred to that of the Judges of the High Courts sitting in appeal for him." Then he says: "The Indian Civilians have always contended that an English barrister is from ignorance of the language and customs of the country incompetent for judicial work in the districts." Then he says: "Moreover the selection need not be made entirely from the subordinate judiciary. There is now in India a large and well-educated Bar consisting not only of barristers, both English and Native, called to the Bar in England, but also of pleaders who practise in the High Courts and in the Courts in the districts, and who are required to pass severe examinations, and in some cases to undergo an apprenticeship before being enrolled." There is therefore now no justification for closing the door to those persons.

14018. You agree that the Judicial Service should be recruited from the Bar in India and from the judicial side of the Provincial Civil Service?—Yes, from the Judicial branch of the Provincial Civil Service.

14019. And from the Indian Bar?—Yes.

14020. But you would exclude all Civilians from posts such as District Judges?—Not at present. I may just mention that that is the identical scheme which was also recommended by the late Sir James FitzJames Stephen and also by Sir William Markby.

14021. (*Sir Theodore Morison.*) With regard to your answer to question (11), you said to Lord Ronaldshay you would recruit from the Indian Bar and from the Provincial Judicial Service. Do you think it desirable to have a certain English element in your Judicial Service or not?—Certainly.

14022. How would you get that?—It would afford an inducement to a larger number of English barristers to come out to this country and practise here if they knew they could rise to such posts as District and Sessions Judges and eventually to the High Court.

14023. By the Indian Bar am I to understand you mean Indians and Englishmen practising here?—Yes, and also vakils of the various High Courts in India.

14024. Mr. Sinha recommended to us a scheme somewhat similar to this of yours, only he urged it as an alternative if his first proposal was not accepted?—His first proposal, if I remember aright, was the training of members?

14025. It was a system of one-third by examination. If that was not accepted he said he would urge the Commission to consider this as a second alternative. Do you put this forward as an alternative or as part and parcel of the other scheme?—As part and parcel of the other scheme.

14026. But then you have reduced the English element by a half by your proposal?—Yes.

14027. And that is only half the executive?—Yes.

14028. And the number of the judicial will be also very considerably diminished by this other proposal of yours?—Yes.

14029. Therefore the total number will be reduced very largely indeed?—You would have a large European element if this scheme, which I have outlined in my answer to question (11), is carried out.

14030. How?—You would have European barristers practising in the various High Courts to select from, and that is a large field.

14031. Is it very large?—Not in Calcutta.

14032. It was not very much in Madras?—I do not know about Madras, but in Bombay it is larger.

14033. With regard to the scholarships which you recommend, I think you said there should be 50 of them?—Yes.

14034. Does that mean 50 a year?—Yes, 50 a year.

14035. That is 150 scholarship-holders in England at the same time?—Yes, 50 a year tenable for three years.

14036. So that the total number is 150?—That is so.

14037. (*Mr. Chaubal.*) With regard to the separation of the judicial and the executive functions, it is not necessarily connected with any scheme for any examination, is it?—No; that scheme has been sanctioned by the Secretary of State.

14038. The separation of the two functions is quite an independent question?—Yes.

14039. I see that in your answer to question (57) you suggest the complete separation of the judicial and executive functions in the Provincial Civil Service?—I do.

14040. Is there anything which prevents the same separation in the higher service?—There is nothing that I am aware of.

14041. Do you advocate the same separation of the judicial and executive in the higher Service?—I do.

14042. Then for the higher Civil Service, assuming for a moment that simultaneous examinations are not granted and that the present state of things continues, is there anything which would come in the way of recruiting the whole Judicial Service from ready material, either from the Bar or from the pleaders, or from the Provincial Service?—There is nothing that I am aware of.

14043. It seems to me there are one or two difficulties in the way. In the first place there would be a certain proportion of barristers to be fixed?—Yes.

14044. There could be only a certain proportion of barristers which that scheme would include?—Yes.

14045. Do you think there will be any difficulty in obtaining the necessary men from the Bar for the purpose of manning this higher Judicial Service?—I do not think there will be.

14046. Do you think that in these men who have practised at the Bar there will be a want of administrative experience such as Collectors and Assistant Collectors have in the Revenue branch, and that that would interfere with the proper execution of their judicial duties?—I should not think it would; they could easily pick up that administrative experience.

14047. Do you think there is any objection to the Munsifs and the Subordinate Judges being invested with criminal jurisdiction?—I do not think there is.

14048. Do you think that the Executive officers who at present perform these judicial functions would in any way be hampered or handicapped by magisterial powers being taken from them and handed over?—No, I do not think so.

14049. (*Mr. Gokhale.*) I confess I had somewhat misunderstood your scheme, or rather I had understood it differently from what your answers just now in reply to questions from the Chair indicate it to be. I fear there are rather serious obstacles in the way of your scheme being adopted. Lord Ronaldshay has pointed out one, namely, the serious dissatisfaction which would be caused among Englishmen that were rejected when their marks were higher than those of Indians who were taken, but there are two other objections which I want to point out. Do you know that there would be a statutory objection to this course being adopted, because under the Act of 1858 appointments must be in the order of merit? Therefore you will first have to amend the statute?—I would rather have it amended.

14050. You would, under your scheme, first of all take 30 Englishmen and as many Indians as passed in London, and then you would take the necessary number from India to make up the remaining 30?—That is so.

14051. Provided that they got marks above a certain qualifying minimum. But supposing the necessary number does not pass, that the necessary number in India above that qualifying minimum is not available, what is to happen?—Then the posts will be all filled up by Europeans.

14052. That year or next year?—That year. If the necessary number is not forthcoming, and if the vacancies have to be filled up, then European candidates would be taken in.

14053. That makes it very much a matter of chance as to how many vacancies would fall in any particular year to the English candidates, does it not?—No doubt.

14054. That would be an additional source of dissatisfaction. Do not you think it would be better to hold the same examination twice in the year, once in London for 30 or 40 vacancies, taking as many Englishmen and as many Indians as come in, and again in India under the authority of the Civil Service Commissioners for the rest?—If the examination in India is held under the authority of the Civil Service Commissioners, I would prefer that to my scheme.

14055. Under their authority and exactly of the same difficulty?—Certainly.

14056. Then you get over the statutory difficulty?—Yes.

14057. There would not be two lists at one and the same time?—No.

14058. The number of vacancies thrown open to Englishmen would be definite and the supplementary list would be drawn up in India if the required number is available?—Yes.

14059. If the required number is not available, the deficiency would be added next year to the number of vacancies offered to the candidates in England?—Yes.

14060. Do you think that would be a better scheme than yours?—Yes.

14061. (*Mr. Sly.*) Do you mind telling us about your own educational career?—I have been a vakil of the Calcutta High Court for eight years, and I have been a member of the English Bar for the last six years; so that altogether I have been in the legal profession for 14 years.

14062. What age were you when you went to England?—I went in April 1906 when I was 31 years of age.

14063. Dealing with this question of the examination, you tell us: "I do not think a competitive examination would exclude the Muhammadan or other races similarly situated. Education has made great strides among the Muhammadans since 1893, and at the present moment, thanks to the impetus given by the educational movement among the Muhammadans, there are numbers of educated Muhammadans who are generally able to hold their own against their Hindu or English compeers." When we look at the list of successful candidates who have come out in the Indian Civil Service for the past ten years, we find that only two Muhammadans have been successful, and that one of those was a Bengali Muhammadan and the other a resident of Bombay; so that as a matter of fact instead of improving their position in the Indian Civil Service in the last ten years the Muhammadans have gone backwards?—I do not think they have had sufficient opportunities of presenting themselves at the open competition in London.

14064. They have had the same opportunities as the other Indians, have they not?—As regards the other Indians it really depends upon accidental advantages, possessing means of going to London and staying there for a number of years, and spending about £1,000.

14065. You think the Muhammadans have been held back more by want of means than anything else?—Yes.

14066. Looking at the same list, there is not a single resident of the Punjab or of Central India or of Rajputana amongst the whole of the successful candidates?—Within the last few years very great progress has been made in the Punjab and there is no knowing whether there will not be candidates in the near future from the Punjab.

14067. As a matter of fact, in the last ten years there have been none?—That is so.

14068. You have been questioned as to whether your scheme of examinations would not reduce the attractions of the Indian Civil Service; do not you think also that if your scheme of a Judicial branch, separately recruited in India from the Indian Bar, were adopted, that would also greatly reduce the attractions of the Indian Civil Service?—To a certain extent it would.

14069. Do you think we are likely to get such good men for the Indian Civil Service if we not only treat them as you suggest under the examination but also take away the whole of the Judicial Service from them?—I think you would get a sufficient number of really first-class men.

14070. You wish to recruit the European element you desire to see in the service solely from European barristers practising in India?—Yes, and also from barristers who may be selected from those practising in London.

14071. You would also admit some selection from barristers practising in London?—Yes.

14072. And you would recruit these for District Judges?—I would first post them as Assistant Judges and then after they had had experience transfer them to Sessions and District Judgeships.

14073. From your experience of work at the Indian Bar and from what you have heard about the English Bar, do you think any barrister, except he was an absolute failure in life, would ever consent to accept an appointment such as the Assistant Judgeship you suggest?—If an Assistant Judgeship is offered with a prospect of their being able to rise to the position of a District Judge as well as a High Court Judge, I think it would attract capable men.

14074. You know what the pay of the District Judges is; do you think that anybody but a comparative failure would accept such a prospect?—I think under the present conditions capable men could be had at that salary.

14075. A capable European barrister successfully practising in England would be willing to accept the post of a District Judgeship?—It depends on what you mean by successful practice. If a rising junior is influenced by other considerations, then he would accept such an appointment.

14076. A rising European junior with good prospects before him would accept a District Judgeship?—Yes, if he cannot stay on or for some such reason.

14077. Do you think a European barrister practising in the Presidency towns would thereby acquire a sufficient knowledge of Indian life and conditions satisfactorily to fill the post of an Assistant Judge in the mufassal?—I think so.

14078. Then you were asked some question about the administrative duties of Judges. Do you know who carries out the administrative duties in the High Court?—Yes.

14079. Is it not always given to a Civilian Judge?—There are two instances in which it has been given to Judges who were not civilians.

14080. When were those instances?—One was Sir Ramesh Chunder Mitter, who was in charge of the department for a number of years, and for a short period Sir C. M. Ghose was also in charge.

14081. In answer to question (16) you have suggested certain changes in the syllabus of subjects for examination, and I notice you have not recommended the inclusion of any Indian vernacular. Did you deliberately exclude them, or not?—I have not deliberately excluded them, but I have not bestowed much thought on them.

14082. Then as an alternative you have recommended the revival of the Statutory Service. We have had a lot of evidence to the effect that any method of recruitment that may be adopted in India short of simultaneous examination will leave what is termed a badge of inferiority upon the candidates selected in India, a badge which they will resent very greatly and which will impede their efficiency in the service. In regard to this recommendation of yours for a revival of the Statutory Service, do you think that if they are given the same pay, leave and pension, and the same promotion list, and everything of that sort, there will be a badge of inferiority or not?—If the Statutory Civil Servants who are to be appointed according to my scheme are appointed members of the Covenanted Civil Service in accordance with the Statute of 1870, I think there would be no badge of inferiority whatsoever.

14083. (*Mr. Macdonald.*) In reply to question (3) you say that the present system of examination is a most grievous hardship on Indians. Would you tell us what you mean by a grievous hardship?—At present we have to send our sons miles and miles away from India and the prizes are few and the blanks are numerous, and it excludes all but an infinitesimal portion of Indians, while those whom it admits must possess the purely accidental advantages of means and opportunities for going to London on the mere off-chance of success.

14084. It is a hardship on Indians who desire to enter the Service, you mean?—Yes.

14085. I did not know whether you meant that it was a grievous hardship on the general community of Indians; but you mean only those who want to enter the service?—Yes.

14086. You refer to the irreducible minimum. You have heard here, have you not, that there is very grave danger that the Europeans may be swamped by Indians?—I have heard that.

14087. Do you know what the tendency is at the moment? Have you taken the trouble to look into the figures as to the relative strength of the European section of the cadre and the Indian section of the cadre?—At present according to the combined Civil List for the whole of India, corrected up to 31st October 1912, out of 1,314 Indian Civil Service men there are only 58 Indians; and according to the figures published in the Government book on the 1st April, there were 1,243 Europeans and 59 Indians.

14088. So that, as a matter of fact, the relative strength of the Indians in the Indian Civil Service cadre is going down?—It is going down.

14089. Do you think it will keep unfairly low so long as the examination is held in England alone?—I think so.

14090. But you say that if you have simultaneous examinations here, in the pure sense of the term, it will not be very materially increased?—Not for a great number of years.

14091. There is a point of your scheme which I am not quite clear about; I understand you insist very strongly upon the similarity of test?—Yes.

14092. That the examination papers must be equally hard whether you carry out your own scheme or accept the proposal made by Mr. Gokhale?—Yes.

14093. The examination papers must be of the same stiffness?—Yes.

14094. I have a difficulty there and I should like you to help me with regard to it. An examination can be unequal in one of two different ways: the standards set can be high in one case and low in the other—that is a very apparent form of inequality; also you can have an unequal standard by imposing precisely the same standard of examination so far as the papers are concerned, but allowing one body of candidates to pass in on a lower average number of marks than the other class of candidates. That is unequal also, is it not?—Yes.

14095. Is not your scheme as amended by Mr. Gokhale an unequal one in the second sense of the term?—Possibly from a theoretical point of view it can be described as unequal, but I would have the standard for Indians such as would be considered sufficient by the Civil Service Commissioners for the European candidates.

14096. Would you allow the Civil Service Commissioners to say that in view of the education in England a certain standard should be imposed upon English candidates, but in view of the education in India there should be a lower standard for Indian candidates, but relatively equally stiff?—No, I would not do that.

14097. You would say that when the Civil Service Commissioners have imposed a standard for England they must impose the same standard for India?—Yes.

14098. But the English successful average may be 5,000 marks while the Indian successful average is 3,000 marks?—The Indian successful average must satisfy the English successful average.

14099. How?—If the English successful average is 5,000 marks, then before an Indian can be considered to be qualified he must satisfy the English successful average.

14100. Then you get no reserve of places?—If they cannot satisfy that standard they have no grievance whatsoever.

14101. Do you mean that the qualifying standard will not be a real qualifying standard but something equivalent to the competitive standard in England?—It would be equivalent to the competitive standard in England.

14102. But then if you admit that by pure simultaneous examination very few Indians will get in, is it not rather imposing upon your fellow-countrymen to say that you are going to give them 30 places and put such impediments in their way of getting into the places that none of them would get in?—I would remove the obstacles which at present prevent them offering themselves at the open competition, and if after the removal of those obstacles they are not able to take advantage of the opportunities provided for them, they have only themselves to blame.

14103. Do you really suggest that your qualifying standard for Indian candidates will be so high that it will be the standard which successful English candidates have to attain?—Precisely.

14104. You referred to the evidence of Mr. Reynolds with reference to the work of Indian officers in the Indian Civil Service, but I understand that Mr. Reynolds was not the only European officer who bore that testimony, was he?—No, he was not the only European officer, but I have only had regard to Mr. Reynolds' testimony, because he was for a great number of years Chief Secretary to the Government of Bengal.

14105. And he was also a Member of the Board of Revenue, was he not?—He became later on a Member of the Board of Revenue.

14106. But there were others?—Yes, there was Mr. W. H. Grimley, who was also in the Board of Revenue, and Sir Henry Prinsep, who was for a great number of years Judge in the Calcutta High Court.

14107. Did not the Bengal Government give any evidence on that point ?—Yes, the question was: "What has been the experience in your Province, in regard to their work as public servants, of natives who have entered the Covenanted Civil Service through the competitive channel in England?" And the answer was: "On the whole decidedly favourable."

14108. Do you think that the Indian Members of the Civil Service have deteriorated since 1886 ?—I do not think so.

14109. Have you heard it alleged that it has ?—I have seen the allegation in certain newspapers in India, but I have not seen it in any State document. The Public Service Commission also in paragraph 61 of their report expressed the same opinion which the Bengal Government expressed.

14110. (*Mr. Madge.*) Do you travel much over the country apart from head-quarters station ?—Yes, I have been to Madras and Bombay and have travelled a good bit in the North-West.

14111. I do not mean in one Presidency as against another, but in capital cities and head-quarters stations as against rural areas ?—I have not travelled much over rural areas.

14112. Have you had any means of coming across the real wishes and desires, not only of the ignorant masses, but of people generally as distinguished from the classes in head-quarters and chief cities ?—Yes, I have had opportunities of coming in contact with people who have not been residents of the Presidency towns.

14113. In fairly large numbers ?—Yes.

14114. So that we may take it that your views are based not only upon the claims of any small particular class, but upon what you fairly consider the wishes of the people of the country generally ?—You may.

14115. You think it desirable to maintain a British tone in the administration, at least for any period that we need take into account now? —Certainly, that is what I have said.

14116. Do you think that is effected by retaining a minimum number of appointments ? —Yes.

14117. And you make it half and half ?—Yes.

14118. Do you think that that tone is maintained mainly by the personality of the officers or by the perfection of the machinery ?—It is maintained in both ways. No doubt it depends to a considerable extent on the personality of the officer, but as regards the Indians whom I have in view, they would be so imbued with the British spirit that possibly they would be more British than the British themselves.

14119. Supposing the machinery were defective, would you look to the personality of officers to correct it, and supposing the personality of the officers was defective, would you expect the machinery to correct it?—No, I would not expect the machinery to correct it if the personality was deficient.

14120. But if the machinery were defective you would trust the personality to correct it ?—Certainly.

14121. In your answer to questions (5) to (7) you talk of levelling up the country so that it may be ultimately possible to entrust Indians with a real measure of self-government withi the empire. Levelling up the country to m mind seems rather an abstraction, and I shoul be glad if you could translate it into concret quantities. What do you mean by levelling u the country ?—By raising India to that leve when it would be possible for the British peopl to say "We have done our work, and we ca entrust Indians with a real measure of self government."

14122. Do you mean the educated classes o the country, or the whole country ?—The whol country.

14123. When you say that it may be ultimately possible to entrust Indians with a rea measure of self-government within the empire does it not seem to be an inference that th country at the present day has not levelled up t that standard ?—That is so.

14124. And yet you purpose dividing th higher appointments half and half ?—Yes.

14125. Unless I have been mistaken in what I have heard, I am afraid some difficulty will remain in your scheme even as modified by Mr. Gokhale. Your scheme would give appointments to Indians who, though they secured the allotted minimum of marks, had secured marks lower than those of the European candidates in the immediately preceding examination ?—Yes.

14126. Do you think that is just ?—The minimum that I should like to see laid down would be the average of successful European candidates at the open competition in London.

14127. The previous competition ?—Yes.

14128. But the value of an average depends upon the quantities that are thrown together being somewhat near each other. Supposing there is one very different from another; an average quantity is fictitious and does not represent a proper average ?—It gives a working rule.

14129. Examinations take place because a certain number of vacancies are declared to require filling. According to your scheme, even as modified by Mr. Gokhale, a certain number of appointments having been declared to be vacant a certain number of Englishmen go up for an examination and pass, or they do not pass, and even if they do pass in sufficient numbers your next Indian examination will not according to you give the full number that you expect—half the number of the vacancies ?—As I understand the amendment suggested by Mr. Gokhale, if there are 60 appointments 30 would be reserved for the open competition in London.

14130. Indians and Englishmen ?—Yes; and if five Indians get in there then 25 only would have a chance of getting in at the next examination which it is proposed should be held in India, and this examination in India would be open to all natural-born subjects of His Majesty.

14131. But you do not expect any large results from simultaneous examinations in this country at first. Supposing the number you want to reserve for Indians does not come up or a sufficient number of Indians do not pass, how would you fill the vacancies ?—They would be filled by other candidates.

14132. But there would be no more candidates ?—There would be other candidates, because I said the examination in India would be open to all the natural-born subjects of His Majesty. There would be a good number from the domiciled community.

14133. Do you assume there would be a number sufficient to fill up the vacancies?—There would be a good number.

14134. But it is quite possible there may not be, and then what would the Government do with the vacancies which they wanted to fill in any particular year?—They could easily have an examination in London to obviate that difficulty, but that difficulty would be rather rare.

14135. That examination would be in the following year?—Yes.

14136. The difficulty is that the number of vacancies is declared for a particular year and the filling up of them according to your scheme would depend on examinations coming a long while after. What is to be done with those vacancies? You have to bear in mind the extra men that are kept on hand in case of contingencies?—As I understand the scheme that is now in operation, if 60 vacancies are notified in London that does not mean 60 actual vacancies. There are a sufficient number to fill up gaps or to supply officers for some special work that has to be done, and those could be drawn upon.

14137. Certain vacancies having been declared and your examinations not producing a sufficient number, there remains over a certain number of vacancies to be filled up in a year still further off?—But that difficulty can be overcome by having a supplementary examination in London, not necessarily in the following year. The vacancies have to be filled up and it would not be just to expect the Secretary of State to wait for another year; he could have a supplementary examination three months afterwards.

14138. Is not a long notice considered necessary before an examination takes place?—No doubt, but there are always a large number of candidates in London.

14139. It might prove satisfactory or it might not, and for the Government and the country there is a risk about it, is there not?—I do not think the risk would be occurring frequently.

14140. With regard to the question of the separation of the judicial from the executive, do you think that a lawyer appointed to a Sessions Judgeship would be wanting in a kind of experience of the country and the people that is useful to a Civilian Judge?—That used to be the case in 1862 or in the seventies, but it is not the case now. There are a very large number of European barristers and other barristers who are perfectly acquainted with the ways and languages of the country.

14141. The administration of justice seems to me to mean a great deal more than literary interpretation of law. For instance, a District Officer goes travelling about his District and sometimes, quite illegally, remedies little wrongs, which if he did not remedy would gradually find their way to the courts and create a good deal of bad blood and cause expense and one thing and another. A Civilian who has passed the early portion of his career as a District officer picks up experience of that kind, and knowledge of the country and the people, which would be wholly wanting in a man appointed direct from the Bar without that experience?—I do not know that it would be wholly wanting.

14142. (*Mr. Abdur Rahim.*) What is the opinion in the profession regarding the efficiency of the Provincial Service (Judicial branch)?—The general impression is that the members ischarged their duties fairly satisfactory.

14143. How does the judicial work of the Provincial Service compare with the judicial work of the Indian Civil Service?—The judicial work of the Judicial branch of the Provincial Service compares very favourably with the judicial work of the Indian Civil Service.

14144. Would you be prepared to say it is better done?—Certainly it is better done.

14145. You know that the Indian Civil Service is recruited by open competition, both the Executive and the Judicial branch, and that the Provincial Civil Service is entirely recruited by nomination made by the High Court, the appointments being made by the Government on the recommendation of the High Court?—Yes.

14146. I understand you are strongly in favour of competitive examination as a means of selection?—Yes.

14147. Has it struck you that it is a curious fact that the Indian Civil Service, recruited by open competition, does not turn out better judicial work than the Provincial Civil Service, which is recruited by selection?—That is due to the fact that the average Indian Civil Servant who elects for the Judicial branch of the service has not had an opportunity of receiving that training which the members of the Judicial branch of the Provincial Service get.

14148. Then you would say that training is a better test than open competitive examination?—I would have no nomination; I prefer competition: but I am prepared to go so far as to say that training is certainly better.

14149. You would be prepared to recommend open competitive examination for recruiting the Provincial Service, the Munsifs?—Yes.

14150. Has any such suggestion been made yet?—I do not know whether it has been made or not, but there should be an examination for recruiting the judicial branch of the Provincial Service from pleaders and vakils of, say, three years' standing.

14151. You would have them undergo a competitive examination?—Yes.

14152. Although under the present system they have been turning out very efficient work to everybody's satisfaction. Do you not think such a change might be risky?—It is to their credit that they are carrying on the duties satisfactorily, but I would not have any patronage.

14153. (*Sir Valentine Chirol.*) You said in answer to Mr. Macdonald that you consider it a very real hardship that many young Indians are deprived of the opportunity of entering the Indian Civil Service by having to go to England?—I said it was a great hardship to be compelled to go to England on the mere chance of success.

14154. Do you think there has been a considerable number of young Indians thus injuriously affected?—Yes.

14155. And that if the examination is conducted simultaneously in India those young Indians would be able to get into the Indian Civil Service?—They would have an opportunity of appearing at the open competition, and then they should be made to go to England to undergo a period of probation, and they would have to pass the final examination in England.

14156. But you do not think that a considerable number of those who are placed in the difficulty of having to go to England now could pass the examination, even if it were held in India?—If they got the same training which they at present get in England, that is to say, if it were possible to get in India the same amount of education and training which under present conditions they obtain in England, then they might.

14157. Do you think it is likely they will get that same amount of training?—I think it is unlikely for a great number of years.

14158. The inference I draw from that is that you wish to create opportunities for young Indians to enter the Civil Service through the door of examination in India by an educational standard which will be lower than that of the young Indians who have to go to England?—I want to create opportunities for Indians, but they have to satisfy the same educational standard as is declared by the Civil Service Commissioners in London.

14159. But if they have to satisfy those standards they will not be able to get in in India under your scheme any more than at present?—Attempts would be made to provide the same standard of education and the same standard of training in India.

14160. I quite understand that; but you have told us it will take a very long time for these opportunities to be created?—It will.

14161. In the meantime very few Indians will be able to satisfy the standard in this country which you admit will have to be set up by the Civil Service Commissioners?—That is so; in the meantime very few Indians will do so.

14162. Then your scheme to admit every year into the Indian Civil Service a certain number of Indians by holding the examinations here is not a practical scheme, as it will not admit them?—It will not admit them for a great number of years, but it would mean to them that the British Government had generously removed all the obstacles.

14163. Do you really think it will give satisfaction in this country if it is announced every year that 30, 40 or 50 posts are open for candidates for the Indian Civil Service to go up for an examination in India, and that every year it is announced as a result that only a very small proportion of those candidates have been successful and that they will not get into the Indian Civil Service?—It would give entire satisfaction even on those conditions.

14164. Do not you think it would be followed very quickly by a demand for lowering the standard for examination?—That demand would have to be resisted, but I do not anticipate any such demand will be made.

14165. Are you aware that only two or three days ago in a leading paper of this city, a paper which is supposed to represent the educated classes in this country, there was a suggestion that the examiners would have to be partly Indians and partly English, and that a far larger number of marks would have to be given for the vernaculars and other subjects easier for the Indian to learn in order to bring about that equality?—I strongly disapprove of those suggestions.

14166. I gather from the tone of your evidence that you disapprove, but do not you think it is very likely that those arguments will be used by a considerable section of Indians?—Those arguments may be used by a very small proportion of what are called the extremists, but not by the great body of responsible educated moderate opinion.

14167. Would you call the *Amrita Bazar Patrika* representative of the extremists?—No, but I certainly do not approve of these suggestions.

14168. Under your scheme you contemplate English barristers practising in India and being brought into the Judicial Service. Do you think that English barristers are likely to find the conditions out here very favourable for practising?—I can speak of the Calcutta High Court. At one time we had a very large number of English barristers, but at the present moment the number is very limited. It would be to the the entire advantage of India if we had a large number of European barristers coming out.

14169. With the growth of the Indian Bar may not one assume that Indian barristers, like most professional men, will regard all competitors from outside as superfluous?—It would be a question of the survival of the fittest.

14170. Have you heard of cases in which Indian barristers have returned a brief when an English junior counsel was associated with them and asked to have an Indian junior instead of a European one?—I have never heard of such a case in the Calcutta High Court, and I should be very sorry to think that such a case has happened anywhere in India.

14171. (*Sir Murray Hammick.*) With reference to this question of reducing the standard of examinations, is it not a fact that you suggest oriental classical languages should have a larger number of marks in order to give the candidates in India a better chance?—I have suggested that, but I was going to add that if the Civil Service Commissioners think that ought not to be done, then I would submit to their opinion.

14172. With regard to the scheme of Mr. Gokhale which you have adopted in place of your own, would you exclude Europeans from this examination in India or allow Europeans to come from London to appear at it?—I would not exclude Europeans from offering themselves at the examination in India.

14173. You would allow Europeans to come?—Certainly.

14174. That would open a much wider door apparently to the Europeans in England, who could come out here and have a much better chance of getting into the Indian Civil Service than by an examination in England?—As I am always thinking of the same standard being laid down for the examinations in London and in India, I do not think that that would be the result.

14175. But I thought you said that you had only a minimum number of marks which a man must obtain in India to get into the service, and that the Indians for many years would not obtain that minimum? Is it not extremely likely that the European would have a greater facility in obtaining the minimum here, which will be lower than the marks which would enable him to pass the examination in England?—The minimum would have to be sufficiently high; it would represent the average marks in London.

14176. But the Europeans who pass in London will have to get more than that minimum, and therefore it would be considerably easier for a European to pass in this country than to pass in London?—I do not quite follow that.

14177. In England it is pure competition, but in India I understand you are going to fix a number of marks, and any candidate who gets over that number of marks will get in provided that the number does not exceed the moiety which you propose to open to competition here. You say that the Indian will not succeed in getting that moiety for many years, or very few of them will. Therefore the Englishman who comes to India will have a much better chance of getting through the modified competition here than he would in London?—That may be, but if it represents the minimum point of efficiency then there is no harm.

14178. To fill up the judicial side of the service do you propose to hold an examination for barristers or nominate them?—A competitive examination.

14179. For English barristers?—Yes.

14180. Of how many years' service?—Of five years' standing.

14181. There is another matter which I think we ought to clear up. What do you refer to as being the well-known reason for the concurrence of the three Indian members of the Commission of 1886 and 1887? I have not the faintest idea of what you were referring to?—That refers to the passage at the bottom of paragraph 60 of the Report of the Public Service Commission, an extract of which I have here: "The members of the Commission named in the margin"—referring to the Honourable Ramesh Chunder Mitter, Mr. Ramaswami Mudaliyar, and Rai Bahadur Krishnaji Lukshman Nulkar—"do not share in the apprehensions expressed above as to the probable result of the introduction of an examination in India for the Covenanted Civil Service, simultaneous with the examination in England, and they wish it to be noted that they have not deemed it necessary either to state at length the arguments in support of this view they have taken, or to meet the objections raised against it, as the scheme which is now unanimously recommended by the Commission is, in their opinion, well calculated to secure the end they have in view."

14182. I know of that?—After Mr. Paul's resolution in the House of Commons, Sir Ramesh Chunder Mitter delivered a lecture in the Town Hall, in which he said the idea of the Indian members was this, that if the scheme which the Public Service Commission recommended was accepted in its entirety, then they would not press their arguments in favour of simultaneous examination, but if that scheme was rejected, or if that scheme was mutilated, then they would insist upon the simultaneous examination being held in India as well as in London.

14183. That is all you are referring to?—Yes.

14184. (*Mr. Bompas.*) You say there are a certain number of European barristers practising in Calcutta; how many of them have a thorough knowledge of Bengali?—Several of them, but how many I cannot say.

14185. Do you say it is at all common for the European barristers in Calcutta?—I would not say common, but several of them have.

14186. Do they make use of it in the law courts?—Sometimes they do when cross-examining witnesses, and they are able to follow the depositions of the witnesses better.

14187. Of course the barristers who come out from England would not have even that amount of knowledge of the language?—But I have said barristers of five years' standing, so far as barristers recruited from the Bar in India are concerned, and no doubt that would be the case as regards barristers recruited from England.

14188. You say that of these posts of District Judgeships that are to be given to barristers practising in Calcutta you would reserve a considerable proportion for European barristers?—I have not used the word reserved, but I would have a larger number.

14189. The number of European barristers practising in Calcutta will be always very small compared with the number of Indian barristers?—Comparatively small.

14190. These posts will be given in very much larger proportion to them than to the Indian barristers. Assuming one in ten Europeans gets a District Judgeship, perhaps one in one hundred of the Indian barristers will do so? Would not that arouse a feeling of injustice?—If my scheme is adopted, I expect large numbers of European barristers will come out to practise at the Indian Bar.

14191. Do you suppose that English barristers will be attracted by the remote chance of getting a District Judgeship to come out to Calcutta in larger numbers?—I do not think it would be a remote chance. With their ability they would be able to get in.

14192. (*Mr. Mukherji.*) I should like to have your opinion on two points I have heard stated. I have heard it said that if Indian youths had to undergo the severe strain of training for the Indian Civil Service examination in the climate and environment of this country it would very seriously affect their health and they would break down, either at the time or very soon after the examination. Do you think there is anything in that?—No. I do not agree with that.

14193. Do not you think that if Indian youths were to enter the Indian Civil Service under any kind of protective tariff, if I may use the expression, it would destroy the sense of comradeship with their English brethren which is so very necessary in the Indian Civil

Service?—I think if the proportion of half and half is allowed it would conduce to real comradeship.

14194. (*Mr. Sen.*) Your recommendation is that all District Judgeships should be thrown open to the Provincial Service and to the legal profession. What proportion of appointments would you wish to make over to the Provincial Judicial Service?—That I would leave to the Government of India.

14195. Unless you make over a certain proportion there might be clashing of interest between the Provincial Judicial Service and the legal profession?—I would have efficiency as the sole test.

14196. You may take it for granted that efficient members will be appointed, but unless a certain proportion is reserved then there may be clashing of interest on the occurrence of a vacancy?—I can easily trust the Government of India with regard to that matter.

14197. If your scheme is accepted, would it not be desirable that half the number of appointments should be exclusively reserved for members of the Provincial Judicial Service and half for the barristers?—No; certainly not.

14198. Referring to your answer to question (57), you suggest there the complete separation of the executive and judicial functions?—Yes. I have suggested that, but that question is hardly within the range of discussion, because the Secretary of State as a matter of fact has sanctioned the measure.

14199 Do not you think in that case it is desirable that there should be but one Provincial Judicial Service in the country, both civil and Criminal, under the administrative control of the High Court, that is to say, that Munsifs, Deputy Magistrates, and Sub-Judges should be members of one and the same service?—Munsifs, Sub-Judges and Magistrates who do judicial work, yes.

14200. That would be better?—Yes.

14201. In reply to Mr. Justice Rahim you said you preferred a competitive examination for the recruitment of Munsifs?—Yes.

14202. Are you aware that among the recruits to munsifships from 1907 to 1911 more than 50 per cent. are M. A., B. L.'s, and many of them passed the B. L. examination in the first division?—Yes. I am aware of that.

14203. (*Mr. Gokhale.*) There is just one point I should like to get cleared up. You would like to have a minimum in the case of the examination in India because you would not like to leave room for the criticism that it was a lower examination than that in England?—Precisely so.

14204. If you have the Civil Service examination held at an interval of six months in London and in India, and if you have for India a minimum equal to the average minimum in England over a series of years, for all practical purposes the test would be the same?—Yes.

14205. And if there is a difference in any year between the English minimum of that year and the minimum adopted for India, it would be no more than what happens now in England in the case of two examinations held in two different years?—That is so.

14206. In one year, for instance, the minimum is 2,500 and in another 2,000, so that there is some variation even now?—Yes.

14207. If the necessary number of Indians that you want in India is not forthcoming as the result of the examination held here, you would add the number to the next examination held in London? Is that what you said you would prefer?—Yes.

14208. That examination would be held six months afterwards—not a very long period?—That is so.

14209. So that any difficulty caused by a deficiency in India would be got over without any inconvenience to the service?—I think so.

14210. (*Mr. Chaubal.*) Questions have been put to you with regard to the difficulty of obtaining practising barristers for District and Sessions Judges. I think it has never been found difficult to man the Presidency Magistrates from practising barristers?—There has been no difficulty.

14211. And the Small Cause Courts Judgeships?—There has been no difficulty.

14212. And some of these are almost the same, if not the same, as Assistant Judges' places?—I think so, but I have no personal knowledge.

14213. In Bombay, for instance, there were two or three who were actually practising English barristers in the High Court who have accepted the places of Chief Presidency Magistrate and Small Cause Court Judges. If you can judge from gentlemen who have accepted those posts, looking at what the material is, you think there will be no difficulty in finding men for the positions of District and Sessions Judges?—I do not think there will be any difficulty.

(The witness withdrew.)

W. D. Braithwaite, Esq., President, European Defence Association.

Written answers relating to the Indian Civil Service.

14214. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It has not proved to be generally satisfactory. It has made scholarship the only criterion of fitness, while character, physique, manner, social qualifications and general fitness for administrative employment have been ignored.

14215. (2) In what respects, if any, do you find the present system faulty in detail and what alterations would you suggest?—The present system does not succeed in recruiting the best class of men for service in India. We recommend a combined system of selection and competitive examination. There should be two selection committees—one in England and one in India, each containing not less than three nor more than five members—the English Committee being entirely composed of Englishmen and there being always a majority of Englishmen on the Indian Committee. The age of selection should be not later than 18 and at the time of such selection candidates should be required to pass a qualifying examination. They should then be sent for a minimum period of two years to a residential University, and during this period should receive a monetary grant from Government. Then should follow a competitive examination. Candidates should then receive a minimum of two years' training in India, at a special college to be instituted for the purpose, during which time they should study such subjects as are necessary for the efficient discharge of their duties and receive such salaries as may be determined. These two years shall be followed by a passing out examination, success in which should be a condition precedent to the obtaining of a post in the Indian Civil Service cadre. Any candidate unsuccessful in such examination should at the discretion of Government be permitted to present himself again for examination after a third year spent at the Training College. Under this arrangement the number of candidates selected each year must necessarily be limited by the requirements of the service, and we recommend that the apportionment of nominations between England and India should be determined from year to year at the discretion of Government, due regard being had to the necessity of maintaining a very decided preponderance of the English element in the service.

14216. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The recommendations made by us in answer to question No. (2) would, we think, be equally suitable in the case of "Natives of India" and of other natural-born subjects of His Majesty.

14217. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—We should prefer that the selection and examination of candidates for the Indian Civil Service should be entirely distinct from the tests for admission of Home and Colonal Civil Service candidates. If the present system of a combined examination were adhered to, our suggestions given in answer to question (2) would require modification.

14218. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—See answer to question (2).

14219. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—We desire most emphatically to express our disapproval of any such system of simultaneous examinations, on the following grounds:—(a) Enlightened opinion in India, both Indian and European, is opposed to it. (b) It is impossible to secure by competitive examination in India the class best suited for administrative posts or other important Government employment. (c) Simultaneous examinations in India, even if by careful selection the less eligible were eliminated, would result in a large influx of "Natives of India" which would effectively destroy the English character of the administration. (d) This matter was thoroughly threshed out by the previous Royal Commission on the same subject, and there has been no change in conditions prevailing in India to warrant any departure from the conclusions then arrived at. (e) We consider that one of the strongest objections to simultaneous examinations and the resultant wholly Indian training of candidates is that it would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence upon young Indian candidates at the most impressionable period of their lives.

14220. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—We object to any method of filling vacancies in the Indian Civil Service cadre, whether by Europeans or by "Natives of India," except by selection and competition as recommended in the reply to question (2), or by promotion as at present from the Provincial Civil Service.

14221. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—The greater part of this question has been dealt with in our reply to question (2). Regarding the representation of all classes and communities the first consideration of the committee of selection should be the general fitness of the particular candidate, due regard being paid to the fact that the classes most suitable for administrative employment are those which have behind them certain traditions of rule and authority.

14222. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—This question is not fully understood, but we are not in favour of any system by which "Natives of India" should become covenanted Indian Civilians except—(a) Under the system advocated in answer to (2). (b) By promotion to listed appointments from the Provincial Service. We are strongly opposed to any system under which a "Native of India" could enter the Indian Civil Service at the beginning of his career without a preliminary training in England lasting at least two years.

14223. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The system of selection advocated under question (2) should be supplementary to the present system of promotion to listed posts.

14224. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—No. However desirable the institution of a separate judicial branch may be in theory, it is absolutely impossible in practice in the India of to-day.

14225. (43) If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—We disapprove of the system of recruitment by open competitive examination, but if the system is retained we approve of the present age limit.

14226. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—22 or 23, provided our suggestions under (2) are adopted.

14227. (15) What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—We recommend no differentiation.

14228. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—We recommend no differentiation.

14229. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—We consider that members of the Indian Civil Service should continue to hold the superior posts now ordinarily confined to them, and we do not consider that the number of "listed posts" should be increased.

14230. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—(*a*) We consider that it is absolutely essential that the distinctively British character of the administration should be strongly maintained, and that this can only be done by the continued allocation of the higher posts of the Civil administration to European subjects of His Majesty, except under most rare and exceptional circumstances, (*b*) We deprecate laying down any hard-and-fast rule regarding the relative numbers of Europeans and "Natives of India" holding posts in the Indian Civil Service cadre.

14231. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—We entirely disapprove of the present system of open competitive examination, and equally of any other method, except (*a*) something on the lines of that outlined in our answer to question (2) and (*b*) the promotion of officers of the Provincial Service to listed appointments.

14232. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No, certainly not. Our recommendations appear in answers of former questions.

14233. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—We consider the system a good one, provided that—(*a*) it is not allowed to interfere with the course of promotion in the Indian Civil Service proper; (*b*) the claims of European and Anglo-Indian officers who have done good work for Government be not ignored in the matter of promotion to listed posts; (*c*) extreme care is taken that the number of higher posts listed be not extended upwards.

14234. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

14235. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes, we recommend no change.

14236. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—If the system of open competitive examination is retained, which we deprecate, we consider that a period of probation is advisable.

14237. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty?—No.

14238. (32) Do you consider that the probationers' course of instruction could best be spent in England, or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The answer to this question is covered by our recommendations in reply to question (2).

14239. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—Yes.

14240. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—We consider that the time of probation could most profitably be spent at a single central training college under the supervision of the Government of India.

14241. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—If this refers to the period of training after probation is over, we think that the present arrangements are satisfactory.

14242. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—We recommend no differentiation.

14243. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The answer to this question is covered by our reply to question (2).

14244. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—We recommend no differentiation.

14245. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished; and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—We consider that the whole matter of the salaries of officers of the Indian Civil Service requires reconsideration. Salaries paid to European members of the Indian Civil Service are now inadequate owing to the rise in the cost of living. The prospects of those who choose the judicial branch should be made more attractive.

14246. Letter from the Secretary, European Defence Association, to the Joint-Secretaries, Royal Commission on the Public Services in India, No. 1381, dated Calcutta, the 20th January 1913.

I have the honour to forward herewith, in reply to your letter of the 1st December 1912, the answers of the Council of the European Defence Association to the scheduled questions put by the Commission.

I am further instructed to place before you the opinions of the Council upon the more general and broader aspects of the question with which the Commission is called on to deal. In framing these answers to the questions the Council have kept constantly before them what, in their view, are the two main principles to be borne in mind in considering any proposed modification of the present system—

(i) The necessity for maintaining British Rule in India substantially in the form in which it exists at present.

(ii) The necessity for obtaining the very highest quality of candidates, whether they be English or Indian.

The first of these considerations has led the Council to oppose those schemes of reform that must result in any immediate considerable increase of the number of "Natives of India" holding appointments in the Indian Civil Service cadre.

In their opinion, the demand is confined to a very limited class, and that not the class best qualified by Tradition and History to command the confidence and obedience of their countrymen.

Further, they see no reason to suppose that an Indian District Officer is more acceptable to those under his charge than a European.

In short, the demand for increased facilities comes solely from those who hope under a new system to be the governors, not from those who under any system must be the governed.

In particular the Council desire to offer their strongest opposition to the introduction of any system of simultaneous examinations. Such a system they consider to be entirely mischievous and fraught with the possibility of the gravest dangers.

Finally, the Council do not recommend the institution of separate Judicial and Executive branches of the Indian Civil Service. The present system appears to them suited to the requirements of the country, and at the same time to be economically and practically convenient.

With regard to the second consideration mentioned above, the Council have stated in what way they consider the present system of recruitment has proved a failure.

They have suggested the substitution therefor of a system of selection combined with competitive examination.

By this means they consider that some guarantee will be afforded that successful candidates will possess the moral and social qualities necessary in posts of executive and administrative authority.

They have further recommended a complete reconsideration of the salaries of Indian Civilians. Increase in the cost of living has rendered the service no longer pecuniarily attractive, as it must necessarily be, if the most desirable candidates are to be obtained.

The position of the District Officer is one of very great responsibility, demanding no ordinary measure of energy and moral courage.

Money spent in attracting the very best candidates obtainable and supplying them with the proper training for their future career is, the Council hold, money profitably spent.

Finally, the Council earnestly desire the opportunity of supplementing their written answers by oral evidence, and they respectfully request the Commission to give them the permission to select two of their Members to give such evidence during the sittings of the Commission in Calcutta, at such time as may be convenient.

MR. W. D. BRAITHWAITE called and examined.

4247. (*Chairman.*) You are the President of the European Defence Association and the answers which you have put in this afternoon represent the opinions of that Association, do they not?—That is so.

14248. You speak on behalf of the Association?—Yes.

14249. Can you tell me how long the Association has been in existence?—It came into existence in 1883, I think.

14250. Is it an Association confined to Bengal?—No. It was started to focus the opinions and protect the rights of Europeans in India, political rights especially. We have about 1,000 members at present who come from all parts of India.

14251. Calcutta, I suppose, may be regarded as the head centre?—It is the head-quarters of the Association.

14252. But it is not confined to Bengal?—It is in no way confined to Bengal.

14253. From what classes do you draw your membership chiefly?—The commercial classes, planters, professional men, doctors, engineers, solicitors, barristers.

14254. All the non-official element?—Practically the whole of the non-official element.

14255. Your Association does not appear to be satisfied with the present system of recruitment?—No.

14256. You say: "It has not proved to be generally satisfactory. It has made scholarship the only criterion of fitness, while character, physique, manner, social qualifications, and general fitness for administrative employment have been ignored." Am I to infer from that that all these defects are to be found in those who represent the Indian Civil Service to-day?—No. The large majority of the members of the Indian Civil Service have these qualities or have acquired those qualities, but I do not think that the Indian Civil Service gets the best men in England at the present.

14257. According to present practice each candidate has to undergo a medical examination, has he not?—That is so. Perhaps instead of physique I ought to have said aptitude for athletics, which I think is rather an important point in this country.

14258. Do you think that those who have come out in more recent years are more deficient in that particular quality than other Europeans who come to India?—I came to that conclusion first of all when I was at Cambridge, where it struck me that the men who were going in for the Indian Civil Service at that time were rather—I hope I am not insulting members present—of the clever, smug order, to use a colloquialism, than the men who were most in the life of the college and more popular and more sociable members, who to my mind would be of more service in India.

14259. You want the establishment of two committees, one in India and one in England, with power to nominate all candidates for the open examination?—Yes.

14260. Each of these committees should consist of five members?—Yes.

14261. Can you explain to us how these five members will satisfactorily select from the various parts of England candidates of suitable character physique, manners and social qualifications?—I think it would be quite easy to form such a committee: there have been other selection committees formed in England. The one for the Navy is well known, and I believe there is one for the Egyptian Civil Service, which have to find exactly those qualities in a youth which I consider would be most acceptable for India. I have not really thought out the circumstances of the appointment of such a committee, but I might suggest it should have one retired and one active member of the Indian Civil Service, one headmaster of a public school, one University don, and one member appointed by the Civil Service Commissioners. It strikes me that would be a suitable committee.

14262. You propose three successive tests for admission to the Indian Civil Service; first, the nomination test at the age of 18 by a selection committee; secondly, a competitive examination at the end of a two years' course at a residential University; and, thirdly, examination at the end of two years' probation, spent at a Central College in England?—Yes.

14263. You say that the apportionment of nominations between England and India should be determined from year to year at the discretion of the Government. Are you yourself prepared to suggest any proportion?—No. I am not prepared. I think the Government should have discretion to vary it according to the needs of the country and the suitability of candidates in previous years.

14264. Are you prepared to suggest an increase in the present proportion of Indians employed in the Civil Service?—Provided some deferentiation was made between the people who can get to administrative posts—by which I mean ruling posts—and the people who would have comparatively speaking office posts. I consider there is more scope for Indians than they have been given at present in posts that are not governing posts, but I do not consider that anyreduction of the English element in governing posts ought to be considered at all. I would therefore make the increase not an increase in the Indian Civil Service, but an increase in the Provincial Civil Service.

14265. Then you would have to increase the posts in the Provincial Civil Service?—Yes.

14266. Would you create the new posts because they were needed or merely to meet the demand for posts open to Indians?—I think it is the general opinion of laymen that the Indian Civil Servant is very much overworked, especially the head of a district, and that he does a great deal of work which is not really administrative work, office work, and so on, which can be perfectly well taken off his hands by someone who would not draw quite so much pay and who would be just as capable of doing that kind of work; and it is in order to meet that demand that I would be prepared to increase the Provincial Civil Service cadre.

14267. You think that the present administration of the country would be improved by an increase in those kind of posts?—I certainly think so; it would leave the Collector more free to exercise his proper duties.

14268. Would you be prepared to increase correspondingly the listed posts?—No. I leave the listed posts as they are, chiefly because I understand any increase in the number of the listed posts would take a very long time to bring about and cause enormous dislocation to the Indian Civil Service.

14269. So that your proposal would be an increase in the Provincial Civil Service with no prospect of any promotion from that service?—Quite so.

14270. Would you ask candidates to go through the elaborate training which you propose first in order to attain such a position as you have sketched out?—No. Certainly not. The training that we suggest would not be for a post of this kind but for the Indian Civil Service.

14271. So you would not be prepared to suggest any increase in the Indian element in the Indian Civil Service?—I would not suggest any increase or any change in the present proportion of Europeans and Indians.

14272. Have you thought out what sort of University course you would have?—The University course must necessarily lead towards the competitive examination which we suggest. I have put it down at two years, because I consider if they went through the full University course necessary to obtain a degree, namely, three years, you would be keeping a man a student for too long.

14273. Would you suggest that all the candidates should go to the same University and the same college and be together?—I would not suggest the same University or the same college, but I would suggest a residential University.

14274. How many candidates would you nominate in excess of the prospective number of vacancies?—I think that could only be arrived at by experience, but I should be inclined to nominate twice as many as were required.

14275. Could you say what would be a suitable allowance for the candidates?—One could only be guided by the cost of living at the university, and I suppose the minimum in my day was about £200 a year.

14276. Candidates would then receive a minimum of two years' training in India at a special college instituted for the purpose. Would you admit Indians to that college?—Most certainly. The chief object of having them in one college would be to throw them together as much as possible, to get absolute uniformity of training, and *esprit de corps* equally pervading both sections.

14277. Your proposal is to establish a large central college for the purpose of training both Europeans and Indians for the Indian Civil Service?—Yes.

14278. I notice that in your answer to question (6) you express emphatic disapproval of simultaneous examinations on the ground amongst others that enlightened opinion in India, both Indian and European, is opposed to it. By enlightened opinion do you mean educated opinion?—I mean the opinion of people who have a stake in the country, not only Europeans but also Indians: the Indian aristocracy and the Indian nobility. I am giving the collective opinion of a large number of people, and I am not speaking of my own acquaintance or of what has been told me personally by various Indians; I am speaking opinions that have been formed by a large body of people with regard to the feeling on the subject. This of course was written before the evidence was taken by this Commission.

14279. You would not then regard educated opinion as really enlightened opinion?—Not English educated opinion.

14280. Nor Indian?—Not the opinion of the English educated classes in India.

14281. I am talking of the Indians?—I am talking of the Indians, too.

14282. I suppose you would admit that there is, rightly or wrongly, a considerable body of educated opinion which advocates a system of simultaneous examination in India?—Quite so.

14283. Then you say in sub-section (c) of your answer to question (6) that simultaneous examinations would effectively destroy the English character of the administration. Would your objection be as strong if facilities were given to Indians to acquire in England that English character after the examination and prior to their entry into the the service?—My objection to simultaneous examination does not rest only on what I have written in sub-section (c).

14284. No, but I am taking this particular objection now. Would you consider that the Indian might assume the English character to a satisfactory extent, if, prior to his admission into the service, he had a full English training in England?—I think it is quite possible there is a class of Indians which have not come forward for public service which might acquire that English character, but I rather doubt whether the class of Indians now available for public service would acquire it.

14285. Under your combined scheme of nomination and competition for the Indian Civil Service would Indian candidates be eligible, equally with Europeans, for promotion to the higher posts?—I take it they would have to be; they are now. I wish to make no change in that respect.

14286. You do not suggest the withdrawal of that opportunity?—No, because it is a concession that has been given, and I do not think it is good to take it away.

14287. In answer to question (11) you say that, however desirable the institution of a separate Judicial branch may be in theory, it is absolutely impossible in practice in the India of to-day. Could you tell me what you mean by this?—A very large part of the population of India is, to say the least of it, extremely primitive and uneducated: I was going to say semi-civilized and uncivilized, which is almost true in some districts. It is not so true in a place like this. I cannot conceive any administrative officer having the same prestige among such people if you deprive him of his power to punish, and I take it that the separation of the judicial and executive functions would deprive the administrative officer of his power to punish.

14288. If the Executive officer were permitted to retain that amount of magisterial power which would enable him to enforce his authority, would that in any way mitigate your objection to the scheme?—I am talking as a layman, but I believe there is a considerable number of administrative duties in the hands of the judicial side and that a career in the executive, or a certain time passed in the executive must be of very great advantage for that purpose to such a person as a District Judge. Therefore I think the executive experience is almost essential to him.

14289. So that you really mean, not that it would be impossible in practice, but that it would not be to the best advantage to the country?—I think the administrative advantage to the country must come first, but, as you put it, I think my answer would be better modified.

14290. You have not given any reason for saying that it is absolutely impossible in practice, but you have given a reason for saying that it might interfere with the effective administration of the country?—Yes.

14291. Then with regard to your answer to question (45), what do you consider has been the rise in the cost of living during recent years?—It is rather difficult to say. An answer was given a few days ago before this Commission which seemed to me to put the matter into a nutshell, that it is very much more difficult for officers of the Indian Civil Service and of the Provincial Civil Service, or of any other service in India, official or non-official, to obtain suitable houses, chiefly owing to the increasing prosperity of the Natives of India, and the fact that they are now living in considerably better houses than they used to, and the want of enterprise on the part of builders and landowners, which makes accommodation very limited. That I think is one great cause—the rise in rents and the difficulty of getting good accommodation. But the whole cost of living has gone up in this country.

14292. You lay special stress upon the rise in rents?—Yes, and the rise in land values which has automatically brought up everything else.

14293. You would like them to see the whole pay of the service regarded from that standpoint?—I think the whole pay of the service ought to be raised. I do not think it can be very easy in a very large number of stations for an English civilian to keep out of debt at all now. It must be practically impossible in Calcutta. I am not talking of the men in very high posts, although I do not think they are very much better off than the men in lower posts.

14294. You are talking of the young men who are married, in the lower posts in the service?—Yes.

14295. (*Sir Murray Hammick.*) You have considerable knowledge of the mufassal?—I have toured the mufassal fairly extensively in my business.

14296. I understand that when you answered the questions with regard to the impossibility at present of separating the Judicial branch from the Executive you meant that in places in the mufassal people are not sufficiently educated or advanced to recognize properly the authority of an officer, unless they know that he has power himself to enforce any orders which he gives?—Certainly.

14297. That in the present state of society in many instances in the mufassal it is necessary for the Executive officer to possess certain powers in order that he may have what you call prestige amongst the people?—Yes.

14298. (*Mr. Abdur Rahim.*) Do you think there ought to be an increase in the number of Indians in the Indian Civil Service?—No. I consider that if an increase in the number of Indians presupposes a decrease in the number of Englishmen the minimum limit of Englishmen has now been reached.

14299. Is that the opinion of your Association?—That is the opinion of my Association.

14300. I suppose you know that about 27 years ago it was proposed that at least one-sixth of the Indian Civil Service cadre should be filled by Indians, and that that number has not been reached yet?—I only know that from having seen it in the evidence given to this Commission by others.

14301. Has the country, in your opinion, gone backward in the matter of education or the fitness of Indians to hold these high appointments?—With regard to the matter of education, I do not think the country has gone backward, and there is a good deal of evidence to show that education has increased in quantity considerably, but I rather doubt whether it has increased in quality.

14302. What do you mean by its not having increased in quality? Have you ever thought about the standards of University education?—I do not merely refer to scholarship, that is to say to the capacity for passing examinations. I refer partly to the formation of character and partly to the absorption of learning in a more or less superficial manner.

14303. In your opinion then the education given in schools and colleges has no effect on character at all?—I have not said so.

14304. You think it must have some effect on character?—It must have some effect on character.

14305. A beneficial effect or a deleterious effect?—It should certainly have a beneficial effect, education *per se.*

14306. Apart from any training such as you have suggested in residential colleges in England?—Education must bring you somewhere on the road to culture.

14307. Since the last Public Service Commission, as there has been an increase in the quantity of education, there must have been a proportionate increase in the beneficial effect of education on character?—Most certainly; that is to say, it is distributed amongst a much larger number of people.

14308. Do not you think that that has increased the fitness of Indians for holding higher appointments in the Government service?—I hardly think so, because I think it means that there are more Indians now on the way to culture than there were, but I am not sure that they are any further on the way to culture as a whole than they were in 1886-87.

14309. Do you suggest that the improvement is of a very infinitesimal character?—That is my opinion. If there has been any improvement it is a small improvement in quality, but there are many more people who are literate and many more people who have had the benefits of primary education, and probably many more people who have had the benefits of secondary education.

14310. Have you known the work of Indian officers in high places?—Personally I have not. As I said before, I am speaking for the Association.

14311. Have you had a meeting of this Association before these opinions were drafted?—We had several meetings.

14312. Can you tell me if many of the members who attended the meetings have had experience of the work done by Indian officers. You yourself have no personal knowledge of the members who attended those meetings?—I was present at the meetings.

14313. How much of this opinion is founded on experience and how much of it is mere hypothesis?—If you ask me for my opinion, the amount that is founded on experience is the fact that I am in touch with a very large number of Natives of India, that I read the papers, that I hear opinions all round me, and that I am in correspondence with many Natives of India as well as with many Europeans in the mufassal who are in a position to judge.

14314. I should like to know to what class you are referring as being in touch with?—Chiefly the merchant class.

14315. They are not the educated class, are they?—They are not educated in the sense of being able to read and write English and of having acquired an English education, but in a great many instances I consider they are quite well educated.

14316. I agree with you there, but what I mean is that the class from which the officers are drawn are those who are educated in English schools and colleges. You know the administration has been Anglicized for a long time, and that, without a great deal of literary education, you could not get officers to discharge their duties. You have no experience of the class from which Indian officers are drawn?—I have had nothing to convince me that the class from which the Indian officers are drawn at present is widely different from the class from which the Indian staff of a large commercial office is drawn. I may be wrong.

14317. That is almost entirely a clerical staff?—Yes; but, as far as I know, they are drawn more or less from the same class. I have had Indians working in the office whose brothers have been home to England and have passed into the Indian Civil Service, and therefore I gather there is no wide difference between the two classes.

14318. Supposing one brother has been educated in England in one of the Universities and passed into the Indian Civil Service and another brother has attained a certain amount of proficiency in English education just sufficient to enable him to obtain a place in one of the mercantile firms, do not you think there is a difference in the qualifications of the two brothers?—There is undoubtedly a very wide difference in their qualifications.

14319. Then, in connection with your argument, what difference does it make whether they are related as brothers? Does it show that one is unfit because the other is unfit?—Not in the least. I say the one is a great deal better than the other, but I do not say that the one is equally as efficient as an English officer for administrative purposes.

14320. I think you said in answer to the Chairman that there is a class of Indians who would be able to assimilate English character?—I said I was not sure, but that I thought there must be a class somewhere which had not yet come forward in our public service; a class which has ruling traditions behind it, and which would be suitable for office in this country.

14321. But that class is not in evidence now?—That is not in evidence now, and I do not know whether it exists. I said I thought it was probable it did exist.

14322. That, I suppose, is a sort of pious hope. So far as your knowledge and experience goes, you consider there is no class of Indians fit for high offices?—I would not go so far as to say that. I have met individuals whom I consider suitable, members of the aristocratic classes.

14323. Those who have not received an English education?—Who have received an English education, but have not offered themselves for competitive examination or for the public service.

14324. Do you know if they have any inclination to offer themselves for the public service?—I have no idea.

14325. They do not come forward?—I would rather not express an opinion.

14326 Then I take it that, as regards the Indians who are willing to come forward for public, service, in your opinion they are not at all fit to hold any high appointments?—I have not given that opinion, and it is not my opinion.

14327. Then may I take it that you consider there is a class of Indians who are fit for public service in high places?—I consider that there is now a very large class of Indians who are fit for high posts in Government service, but I consider greater efficiency is given by English officers in posts where it is necessary to govern.

14328. You mean that the English officer is more efficient than the Indian officer in the matter of governing?—That is so.

14329. But you have had no experience of the actual work of the Indian officer?—I only know it from hearsay and from the census of opinion amongst people who should know.

14330. You mean the members of your Association?—Not merely the members of my Association, but friends and acquaintances and also Natives of India. I have heard very many natives of India express the opinion, and I have read that they have expressed an opinion before this Commission, that the English officer is more efficient than the Indian civilian, who is a Native.

14331. You have read the evidence given before this Commission?—I have read the evidence presented to you day after day. The greater part of the evidence has proved that an English officer is more efficient than an Indian civilian, who is a Native of India.

14332. You mean the evidence of Indian witnesses?—The evidence of Indian witnesses.

14333. Then I can tell you you are wrong?—I am sorry then.

14334. May I ask you if you have any experience of the judicial work of this country?—None.

14335. Then when you express alarm at the prospect of the separation of the executive and judicial functions you do not base that alarm on any experience of your own?—No.

14336. What do you understand by the combination of the two functions, the executive and the judicial?—I explained to the Chairman that what I understood by the divorce of the judicial from the executive would be that all the power of punishment would be taken away from the administrative officer, and that, if that was taken away, the conditions of the country would make it most difficult for the administration to continue as effectively as it does at present.

14337. In what way at present is the power of punishment lodged in the Executive officer?—I do not know in the least.

14338. Then it is wholly in the abstract; if there is any such power somewhere you say it ought to be retained?—I presupposed that an executive officer has the power to punish.

14339. Who is that Executive officer?—There are a large number of them.

14340. Can you give me the name of the office he holds?—I take it the officer you have in mind most when you talk about the judicial and administrative functions is the Collector or the Deputy Commissioner, who is, I take it, the equivalent.

14341. You do not know what I have in my mind. I simply want to know what officer you meant when you said that the Executive officer ought to have the power of punishing?—I say that any Executive officer who is in a part of the country where it is necessary he should have the power to punish should not be deprived of that power.

14342. Then you think that the punishment ought not to be the function of a Judicial officer?—Certainly.

14343. What will be the distinction between the two?—The Executive officer would be both executive and judicial in the sense that he has the power of punishment. The Judicial officer would be judicial only, and necessarily would have the power to punish.

14344. Do you think the Executive officer should try a man before he punished him? Do you understand what I mean by trying a man?—Yes, of course I understand what you mean.

14345. Do you think he ought to try a man before punishing him?—Certainly.

14346. According to law?—I know nothing about law.

14347. Do you not think it is a very technical question?—I think some of the questions you have asked me are very highly technical.

14348. And you have given an opinion without knowing anything about it?—I have tried to give my opinion on what I know something about, and to avoid giving an opinion on what I did not.

14349. (*Mr. Madge.*) You are a graduate of Cambridge and you have also had some scholastic experience?—Yes, I have in India.

14350. So that when you offer an opinion it is not that of an amateur, but that of a man who has taken some interest in the development of character by education?—Certainly.

14351. I understand from your answers here that you are not hostile to Indians or that you would not exclude them from the public service, but you think the present system of competitive examination does not test all the qualities that you think necessary in an officer?—That is so.

14352. And your recommendation of committees or boards is designed to supply what you consider a real need?—Certainly.

14353. The competitive examination tests, as regards Englishmen, certain qualities they are supposed to possess that could not be tested in every other race. For instance countries, such as Russia, France and Portugal, have had colonies which have not succeeded as well as British colonies, and you would infer from that that Englishmen, without any general question of superiority or inferiority (because one race may be superior in one thing and inferior in another), has an administrative capacity above other races?—Certainly.

14354. Europeans as well as Asiatics?—Certainly.

14355. Do you speak the vernacular?—I do, and I read and write it.

14356. Do you correspond with Indians, a rare gift in Englishmen?—I do.

14357. And that has been one source through which you have arrived at the opinions of Indians?—It means a little more facility in the language perhaps than the ordinary English merchant has here, and I daresay it has enabled me to get a little closer to the thoughts and opinions of Indians.

14358. Your firm has a certain stake in the country?—Certainly.

14359. And from what you have seen of other merchants, both in business and in your association and in social intercourse, do you think that any important change in the personnel of the public services would affect their opinion as to—I do not like to say the safety of the Government, but would affect the confidence of merchants and capitalists generally in the Government?—Undoubtedly.

14360. In what way?—So long as there is confidence in the Government undoubtedly investors would be prepared to invest their money in India. So long as there is not that confidence investors will not be so prepared. Any experimenting with or tinkering with—I do not mean the word in a bad sense—the present conditions would be highly dangerous in that respect, because the more money put into the country by investors the better for the country.

14361. The money-market is very sensitive in that way?—Certainly.

14362. Do you think that merchants generally have helped to develop the prosperity of the country?—Undoubtedly. I suppose they give more employment in the industrial way than would be given if they were not here, because nearly all large industrial undertakings, at any rate on this side of India, are the property of Europeans and are controlled by Europeans.

14363. So that your class provides employment for a large number of Indians of the labouring classes?—And it raises their status and makes them happy and more comfortable by providing better for them than before.

14364. There must be a considerable amount of prosperity in the masses due to European enterprise?—Yes.

14365. And the developing of the commerce of the country reacts beneficially on its finances also?—Undoubtedly it must; Customs duties alone.

14366. So that really if any important change in the character of the Government diminished the confidence of the mercantile classes it would react both on the prosperity of the masses and on the finances of the State?—Most certainly.

14367. You made a reference to the aristocratic class. The opinion has been put forward sometimes that there was a great difficulty in toning the mind of the Indian aristocracy to our conditions of service. Have you come across any feeling of this sort?—I think that the Indian aristocracy at present will not take the trouble to study for the competitive examination. I should say that is the chief drawback to their entering public life.

14368. Has any other way occurred to you, besides the doors to which you refer, by which influential classes of that sort in the country could be drawn into the public service?—I do not think any method, which would draw any such classes and leave out other classes, would be acceptable to anybody; it would be no use putting it forward.

14369. The system of selection you mention in answer to question (10) would be supplementary to the present system of promotion to the listed posts. Do you mean it would be supplementary in the sense of its being secondary and not of primary importance?—The existence of the one would not cancel the existence of the other.

14370. Do you think that the British tone of the Government depends more on the personality of the officer carrying it out or on the machinery of the administration?—I consider that in any eastern country personality must have a great deal more effect on the welfare of the country than any machinery can possibly have.

14371. Can you conceive it possible under existing conditions that the machinery should be brought to such a state of perfection as automatically to result in what is desired independently of the personality of the officer?—No.

14372. You refer in answer to question (24) to the pay of European and Anglo-Indian officers who have done good work for the Government. Is it your opinion that an Englishman who gives up his life to this country, cutting himself adrift from Europe altogether, has some claim, provided he can bring forward children who can pass the tests, on the consideration of Government?—I assisted in drafting that clause, because there is a feeling at present that for sentimental reasons vacancies in the listed posts are filled by Natives rather than by domiciled Europeans or Anglo-Indians. There is a feeling in the country that at the present time preference is being given, for sentimental reasons only, to Natives over members of the Provincial Civil Service who are domiciled Europeans or Anglo-Indians.

14373. To the neglect of the latter class?—Yes. I may be wrong, but that is the general opinion.

14374. You have also expressed an opinion that, owing to the rise in prices of rents, salaries should be raised. Would you think it advisable to have a *pro rata* increase all round?—By "all round" do you mean from the listed posts in the Provincial Service to the higher posts in the Indian Civil Service?

14375. You can divide the question and apply it to any service that you think it would be desirable to apply it to?—I have no knowledge of the Provincial Civil Service working, and I have not had time to study it, but it seems to me that for any official to maintain the position he ought to maintain in the eyes of the people around him in this country he should be better paid than he is now.

14376. Have you formed an opinion whether the colleges and schools have got into a condition of teaching students more with a view to help them to pass examinations than to educating them really with a good general education?—I think the difficulty is not so much in the constitution of the colleges and schools as in the extraordinary rapidity with which the educated Native of India is able to memorise. I think the colleges and schools are all right: the fault is in the individual, so to speak. It is a fortunate fault for him, as it enables him to pass examinations, but I am not sure that very much of the knowledge he gains in order to pass examinations sticks.

14377. You think that until recently it has been sufficiently practical to lead those who pass it to seek for careers, journalistic or legal ones?—I am not an expert of what has been happening lately, but I know at the time of Lord Curzon, when the question was taken up to make education more practical, there was a very strong opinion that the education in those cities was more or less cramming for examinations, and I understand there has been a very great improvement since.

14378. (*Mr. Macdonald.*) You have said several times that your proof is a manifesto of your Association?—That is so.

14379. Then you informed us that it was not from your Association but from your Council?—The Council has to represent the Association. One cannot collect things from all over India.

14380. The Association is represented by the Council?—Yes.

14381. Can you tell us the membership of the Council?—I think it is about 25.

14382. Residents in Calcutta?—Yes

14323. And it produces this scheme?—Yes.

14384. With reference to your scheme for nomination, you referred to Egypt?—No. I have not. I have only referred to Egypt in my oral evidence. I have known of it before and I have met members of the Egyptian Civil Service, but I was not sure of my ground until I saw Sir Ralph Benson's evidence the other day, in which he made a definite statement that this method of selection was employed for the Egyptian Civil Service.

14385. Then you have mentioned Egypt in a casual way to-day?—Yes.

14386. You do not want to be cross-examined about it?—No. I should not have mentioned it had not I seen Sir Ralph Benson's evidence.

14387. You have also mentioned the Navy. Have you gone into that scheme?—I only know in regard to the Navy that there is a board of selection which is composed of five officers of the Navy before whom every candidate comes at an early age.

14388. Candidate for what?—Candidate for admission to the Navy through the training school, wherever or whatever it is.

14389. Candidate for admission to the training school?—Yes, firstly.

14390. Have you gone into the subsequent results, the weeding out, and so on?—No. I have not gone into that, and I only used that argument with regard to the composition of the selection committee. I said, if they could select a committee for the Navy, they could select one for India.

14391. The two cases you mention in support of your scheme you have not carefully considered?—I did not mention them in support of my scheme, but only as showing that the constitution of a committee of selection should not be difficult, that they have already constituted two committees of selection in England, one for the Navy and one for Egypt.

14392. You are not prepared to give any evidence as to the result of the working of these committees?—No.

14393. You have not heard of a third committee of selection for factory inspectors?—No.

14394. So that you cannot be cross-examined on that?—No.

14395. This committee of selection would examine candidates, with aids or without aids?—Certainly, with such aids as they could get, such as certificates from school-masters or any other certificates of character or past history that might be useful.

14396. Anybody who commended a candidate might write up to this committee and their recommendation would be considered?—I see no objection to anybody writing; it is a question of whether their opinions would carry great weight.

14397. As a matter of fact, you would have a committee of five or six gentlemen settling who was going to govern India?—Settling who was allowed to go up for competition for the Indian Civil Service.

14398. If you like to put it that way. Settling the number of men from whom the final selection of the Indian Government was going to be made?—Certainly.

14399. Would you have any appeal against their decision?—No.

14400. None whatever?—No.

14401. The five or six men are going to settle the superior cadre of the Indian Government?—They are going to weed out the undesirables before allowing them to go up for examination.

14402. And not let in undesirables?—Not so far as it is humanly possible.

14403. Their judgment is to be always final and always accurate?—Certainly.

14404. When Indians went to England, would they come under the ægis of this committee in England, after being selected here by your Indian committee of selection?—The Indians would not come under the ægis of the committee of selection at home; they would have been selected out here as suitable for the examination.

14405. Supposing it was discovered in England that their character, their physique, their manner, their social qualifications and general fitness were not good, then nobody would be allowed to say they should not go on?—There is a period of probation after examinations by which any person who has passed the competitive examination and is found unsuitable can be turned back again.

14406. But they would continue to enjoy the bounties of the State for two years, although it was known by the committee of selection that ultimately they were to be refused?—Certainly; such exceptions must occur.

14407. You would keep them hanging on until the age of 22?—Certainly. I do not consider that any European ought to arrive in this country before the age of 22.

14408. You send them here at 20 and give them two years' training in India?—Yes.

14409. And keep them hanging on until the age of 22, the last two years being spent in India?—Yes.

14410. And at 22 only about 50 per cent. of those who have been trained are going to be passed in?—You must have misunderstood me.

14411. Did not you say somewhere that you would have a very considerable margin—about 100?—No.

14412. In any event, are they all going to pass in?—Those who have passed the competitive examination.

14413. Which competitive examination?—This, which in my answer to question (2) would take place at the end of two years' residence at a residential University.

14414. At 20?—Yes; it would take place at 20.

14415. And what would happen?—Those who passed would be drafted out to India to the special training college.

14416. When they are drafted out to India, are they members of the Indian Civil Service, or are they only members of the Indian Civil Service when they pass through this special training college?—They could not be members of the Indian Civil Service until their probation is over, but that is more or less a petty detail which I think the Government of India might settle for itself.

14417. You do not regard the probation as really a weeding-out time?—To a certain extent, but a very small extent, it would be a weeding-out time.

14418. I think you told us that you attach a certain importance to the views of enlightened people having a stake in the country. Has not a barrister a stake in the country?—Certainly.

14419. Would not he therefore be regarded as an enlightened person?—I did not say all enlightened opinion.

14420. You only mean a certain amount of enlightened opinion?—Yes.

14421. Some enlightened opinion?—Some enlightened opinion. I did not mean to say that everybody who had given evidence against simultaneous examinations here was unenlightened.

14422. You lay no emphasis upon that?—No.

14423. May I put a question to you which I have put to other witnesses. Do you mean by sub-section (c) that you deliberately adopt the examination in England in order to make it difficult for Indians to get into the Indian Civil Service?—It amounts to that.

14424. You refer to some Royal Commission that has sat on the subject before: which Commission do you mean?—I think it was the Commission of 1886-87.

14425. I did not know whether you meant the more recent one. You say that since 1886 there has been no change which would justify giving Indians more power in the Government?—I say there is no change which would justify the result of that Commission with regard to simultaneous examination being upset.

14426. Do you know that at that time the Government of India was prepared to give one-sixth of the positions in the Indian Civil Service to Indians?—I know it only from the evidence I have read.

14427. I want to put the question because it was not put to you that the Government was prepared, and I want it clearly on the record. Were you aware that the Government was prepared to give it?—Do you mean the Government of India in India?

14428. Yes, agreed that on the whole one-sixth should be the proportion; it was a sort of rule that was to be worked up to?—And it has not been worked up to I understand.

14429. Were you aware of that, that in the Government's opinion it was practically safe to work up to one-sixth?—I am aware of it now, but I was not aware it before.

14430. Do you disagree with that?—I consider it is not safe and not for the good of the country.

14431. Does that shake the opinion you express here that you would leave the proportion to the Government? I think you said that the proportion between Indians and Englishmen would be changed from time to time?—Yes.

14432. And you were asked who were to settle it, and you said you would leave it to the Government?—I think one can leave it to the Government.

14433. With regard to (e), you say that allowing men to enter into the Civil Service from here would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence upon young Indian candidates. What do you mean by that?—I mean that a great deal of harm has been done in India, and the balance and character of a large number of Indian students have been upset by political opinions which have been deliberately instilled into them in India, and I think that is one of the chief reasons why we said that there has been no change in the conditions prevailing in India to warrant any departure from the conclusions then arrived at.

14434. Would you mind looking at your answer. You say: "We consider that one of the strongest objections to simultaneous examinations and the resultant wholly Indian training of candidates is that it would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence upon young Indian candidates at the most impressionable period of their lives" What influence could that have in the direction which you suggest in sub-section (d)? What difference would simultaneous examination make in the attempts that are being made to preach certain political doctrines in India?—Under the scheme which we have outlined in reply to question (2) which is opposed to simultaneous examination, every Indian candidate would spend two years in England before he went back to India.

14435. Would you please answer my question? You say that if simultaneous examinations were started in India it would mean that political agitators would try to get hold of Indian youths more than they do now?—I assume first of all that candidates would be entirely trained in India if simultaneous examinations were allowed. There are two hypotheses in that answer.

14436. Your answer is that it would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence?—Certainly.

14437. How?—If the candidates were wholly trained in India and did not have the time in England which my scheme outlined for them, they would not have the chance of shaking off these influences which we expect would be brought to bear upon them.

14438. You mean to say that because candidates go to England after a University course here, political agitators do not trouble very much about them here?—Not in the least. I expect they will trouble about them if they still exist then.

14439. I should like you to answer the question. If you have simultaneous examinations in India you say that will increase the political agitation directed towards the student?—I do.

14440. Very well, then I ask why?—What I mean is this—I am afraid I am annoying you.

14441. What do you mean?—What I mean is that the attempts are likely to bear worse fruit if the candidate does not go to England afterwards than if he does.

14442. Would you look at your answer again: is that what you say in your answer?—What you ask me is, would not they attempt it if the man went to England as well: they would certainly, but their attempts would not be as successful.

14443. If you institute simultaneous examinations would more attempts be made then than are made now to get hold of the students?—Not necessarily more attempts.

14444. So that you withdraw that statement in (d)?—To that extent I qualify it.

14445. And there is no other "extent" in it, is there? I was exceedingly anxious to get out the meaning of that and I am sorry I have had to waste so much time over it. In your answer to question (19) you say that the British character of the administration can only be strongly maintained by careful allocation of the higher posts of the civil administration to European subjects. If Indian candidates go to England

and successfully pass the examination, how are you going to arrange for them?—I have already told the Chairman that such posts as are already given to Indians, and such opportunities as have been given for rising to the top must not be taken away.

14446. It was because of that answer I put the question. You are going to withhold no facility that you give them now?—I do not know whether you are trying to catch me, but that is what I have said.

14447. If you get educated Indians going to England, sitting for the Indian Civil Service and beating the English candidates, as you say they will do if you institute simultaneous examination, what guarantee can you establish to protect yourself in the way that you have indicated in answer to question (19)?—No guarantee has hitherto been necessary.

14448. Sub-section (*b*) of your answer to question (24) you have amplified by your oral evidence. You say there is an impression abroad that Europeans and Anglo-Indian officers who have done good work for Government are ignored so far as appointments to listed posts are concerned?—That is an impression which may be entirely a wrong one, but it is an impression that exists.

14449. Have you made any inquiry?—I have not made any inquiry.

14450. You know of no cases?—I know no cases.

14451. You simply come and report to the Commission the general floating impression?—I have just told you the impression that exists and I say I have no knowledge of it.

14452. (*Mr. Sly.*) One part of your scheme is that after this open competition in England all the candidates shall be brought out for a period of two years' probation in a college in India?—Yes.

14453. One college?—Yes.

14454. Do you think that one college in India could successfully deal with probationers for the whole of India, having regard to the large number of vernacular languages to be taught and the different conditions in the several provinces of India?—I think the advantage of having all the Europeans and Natives of India together, with the *esprit de corps* that that would bring about, would neutralise a great many other disadvantages. Even if you had a college in each province you would not overcome the vernacular difficulty, although you might get near to it.

14455. You have been examined to some extent on this general question of the separation of the executive, judicial and magisterial functions. Has your Association considered that question from the broad standpoint?—I take it we have considered it from the broadest. We have gone into no details at all.

14456. They have given a public pronouncement on that question?—I understand that before I was a member of the Council they did address the Government on the subject, but I may be wrong.

14457. Are you prepared to put into the Commission a copy of their representation?—If one exists I will put it in, but I may be mistaken in thinking they have done so.

14458. I want to put one or two questions to you personally, not as a representative of the Association. You are a member of a firm of merchants in Calcutta?—Yes.

14459. How many years' experience have you had?—I have been eleven years in that firm and thirteen years altogether in India.

14460. Can you tell us from your experience of Calcutta commerce whether the number of Europeans employed by European business posts in superior posts of responsibility has proportionately increased or decreased?—It has certainly increased proportionately throughout Calcutta.

14461. Has the number of Indians employed in superior posts of responsibility in European firms increased or decreased?—I should think it is stationary, because it is very small.

14462. Has the number of Europeans employed in Indian business firms increased or decreased?—I have very little knowledge of Indian business firms with the exception of Messrs. Martin & Co., whose senior partner gave evidence on Saturday.

14463. You have recommended an increase of salaries of the Indian Civil Service on the ground of increased cost of living and other matters. Have the commercial firms given any increase to their European staff?—They certainly have within the last 15 or 20 years, whether by allowance or by granting commission on profits or in some way or other, though in many cases they have not nominally given it. The joining salary may be in many cases exactly the same.

14464. Do you know what percentage that increase has amounted to?—When I joined, I had Rs. 250 a month, but the boys who join now have Rs. 300, and after passing language examinations and so on they can increase it by allowances to Rs. 325 with a donation of Rs. 500. There are opportunities for increasing their salaries.

14465. You cannot really state to us that the scale of salaries in the commercial world has increased by so much per cent. during recent years?—It will be difficult to say with regard to all offices, but in most offices I know there has been an increase in recent years in one form or another.

14466. (*Mr. Gokhale.*) You have told us that your Association consisted of about 1,000 members from all parts of the country. Will you tell us how many members you have from the different provinces?—That will be very difficult; I should think about 80 to 100 in Bombay City; 70 to 80 in Madras, 40 to 50 in Narayanganj, and scattered planters and Europeans about the mufassal.

14467. Do the members from the other Provinces ever attend meetings of your Association?—They have the opportunity of sending proxies and so on, but unless they happen to be in Calcutta they would not attend.

14468. The opinions that go forth in the name of your Association are really formulated by the Council here?—Yes, they must be.

14469. And the Council is principally in touch with the members who are in Bengal?—Yes; of course they correspond with other associations outside.

14470. Have you any Anglo-Indian members or members of the domiciled community?—Yes.

14471. So that it is not like an ordinary European Association? How many of the domiciled community and Anglo-Indians have you?—I do not know.

14472. Does your Association return any member to the Bengal Legislative Council or to the Government of India's Legislative Council? No.

14473. The Government have not recognised the Association in any special manner, have they?—They send us various Government Bills and so on for criticism.

14474. But nothing more than that?—I might find something by racking my brains.

14475. Have you spent any time in any other part of India?—I was three years in the Punjab.

14476. Anywhere else?—I have toured extensively in the Central Provinces, Bombay, the Karachi District and Lahore.

14477. You do not know the vernacular languages of those provinces?—No. I was able to read and write Urdu, and I can now write Hindi.

14478. There are three points in your statement on which I should like a little more light. You said that a large proportion of the population on this side—in Bengal I suppose you meant—was semi-civilized and uncivilized?—I did not say on this side, I said in India, and I qualified it. I said I was going to say civilised or uncivilised, but I felt they were too strong terms and I said primitive and uneducated. I did not mean to be offensive.

14479. I am sure you did not. Did you mean merely to say that they were uneducated or uncivilised?—It rather depends on what you call uncivilised. According to our ideas of civilization I should say a large number of them are uncivilized. Take the Santals, take the Panchaymas, take the Bhils.

14480. But what proportion would they be in the 300 millions of India?—A very small proportion. Then take the ryot, who is little more than a labourer as a rule with no interests beyond his field or his cow; I should regard him as primitive and uneducated, not quite uncivilised, because he is in no way a savage.

14481. You do not look upon him as a savage?—No, I certainly do not call him a savage.

14482. You do not think that in domestic virtues and things of that kind he is really behind the mass of the people of other countries?—I should say he leads an extremely simple life.

14483. Before education became universal in England, would you have described your own people as uncivilised?—Certainly, the Britons of 2,000 years ago.

14484. I mean the Britons of the 19th century before the Act of 1870 was introduced. Would you have called them uncivilised?—I should have called them primitive and uneducated.

14485. Do you know that most of the influences that have led to violence in this country during the last few years have come from abroad, either from the Continent of Europe or from America or from England?—If you are talking of absolute anarchy and the preaching of anarchy I believe a great deal of it has come from Europe.

14486. Therefore the students who go there are really not safe from these influences, are they?—I think they are safer, because they are in a country where they are rather better looked after. But I do not think you can give an anarchist any nationality at all.

14487. Indians who imbibe these ideas in the West and come back here bring these influences into this country?—I was not speaking so much of anarchy.

14488. The Provincial Service men are exposed to all the influences here that you complain of?—They are undoubtedly exposed to them.

14489. To the influences of the political agitator?—Yes.

14490. Would you say that the Provincial Service was really honeycombed with men who were under the influence of political agitators?—I know nothing about the Provincial Service.

14491. The European non-official community in this country is necessarily a most important body and during the last few years must have been constantly thinking about the future of the country and the future of British administration?—That is so.

14492. If you think that the present proportion of Indians in the Civil Service cannot be increased, if this is going to be the last word from the European non-official community to the young men of India, do you think that things will go on very much longer on the present basis? I suppose you are aware that there is a large feeling in the country that our young men must have more entry into the higher ranks of the services?—There undoubtedly is.

14493. The young men themselves have this feeling?—Certainly.

14494. If your last word to them is that the present proportion is not going to be increased, do you think things will go on long on their present basis?—I do not think it has been my last word that the present proportion is not going to be increased. What I say is that the present is not the time to do it. I do not think it is safe now to reduce the proportion of Englishmen in the Indian Civil Service.

14495. I gathered from some of your replies that it was never to be reduced?—No.

14496. (*Mr. Chaubal.*) It was very interesting to hear what you told us about your college life when you were at Cambridge. You said that both English and Indian students who were studying for the Indian Civil Service showed a lack of aptitude for athletics?—I meant that taking them all round they were not the same as the others. I was not referring to Indian candidates because there was not a single Indian candidate at my college.

14497. I thought you referred to the Indian candidates more particularly?—I was referring to the English candidates.

14498. Do you think that the inefficiency or want of administrative capacity which you find in the English Indian Civil Service officer in India is due to that lack of aptitude for athletics?—No. I would not go so far as that, but I think the best type of British manhood, to use a catch phrase, is the type that does take an interest in athletics and thereby improve its physique.

14499. I thought you gave that as one of the reasons for the administrative capacity, that an Indian Civil Service man should have?—I think the English character has shown itself peculiarly adapted to Colonial rule.

14500. We are now speaking of nothing except English candidates, and you said that those English candidates who were studying in your time at Cambridge for the Indian Civil Service were poor specimens compared with those who were not so studying?—I thought some of them were; I am not talking of all of them. I thought they were not quite the best type of British manhood.

14501. And are any of them now administrators in the Government, or are they failures? —I do not say they are failures; in fact I believe they are successful, most of them.

14502. And some of the Indian Civil Service men whom you compared with those in your time have not been failures in India?—I did not say they were failures. I said I did not say I considered they were drawn from the best classes of British subjects.

14503. Then I do not see much force in your remark if you cannot say they were failures out in India. When you spoke of the separation of the judicial and the executive, could you say whether the duties of the Collector in Bombay or the Collector in Calcutta are in any way inferior to the duties of a Collector in a district of the mufassal?—That is hardly a question I can be expected to answer as I am not a member of the Indian Civil Service.

14504. I do not put it to you as a member of the Indian Civil Service. You have answered some questions in your written replies which directly raise this question, and you stated to us here that if the Collectors were deprived of their magisterial powers the administration would suffer. In your opinion do you consider that the duties of the Collector of Bombay or the Collector of Calcutta or of Madras, the three principal towns, are in any way less onerous and less responsible than those of a District Magistrate?—I should say they are quite as onerous.

14505. Then can you say that owing to their having no magisterial powers the administration has suffered?—No. I explained my answer, that it was with reference to the Collectors of districts where the population was more or less primitive and uneducated that it was essential they should not be deprived of their power of punishment.

14506. Do you take into account that as far as possible the administration in the Presidency towns has been carried on on the basis of a complete separation between the judicial and the executive?—I will take your word for it.

14507. We had evidence in Madras that for 15 years the magisterial duties and administrative duties of Tahsildars have been separate, and an officer called a Stationary Magistrate had taken over the charge and all the magisterial power possessed by the Executive officer?—May I ask what size district or subdivision or subdistrict that particular officer controls? I know nothing about the details.

14508. It may be part of a subdivision, just as you have a Deputy Magistrate here in the lower grades. The Government officers there told us that the experiment was successful?—I believe a good many experiments have been successful in certain places.

14509. Therefore while on the one hand you find in the Presidency towns, and in this experiment of 15 years in the Madras Presidency, there is this separation, your assertion that the separation of the judicial and the executive will be a great danger to the State is only a guess?—You are confuting a statement in the abstract by one or two concrete examples of particular cases. I do not acknowledge that on the points you have put to me you have upset my statement.

14510. I think it ought to be modified. Your proposition is that, whenever an officer has executive powers, if you take them away the administration will suffer?—I did not say that. I said that where an officer has both executive and judicial powers it is a pity to deprive him of the latter because the administration would suffer.

14511. I have given you instances where it did not?—You have given me only two out of thousands.

14512. I gave you in Madras an instance of an officer who was originally invested with both powers and those powers were afterwards separated and there was no trouble at all, and I want to know whether under those circumstances you are prepared to modify your statement?—I am not.

14513. (*Mr. Mukherji.*) You referred to the aristocracy and nobility of the country: have you any considerable experience of them in Bengal?—Not a very considerable experience, but I have met members of aristocratic families in Bengal.

14514. Do you think that they produce the best types of Indian men generally?—I should hesitate to say, but I think they have it in them if they were taken away from their surroundings and educated.

14515. Do you know that as a matter of fact the Statutory Civil Service, members of which were drawn from the ranks of young men of good family and social position, failed, because they did not supply the proper kind of men?—I do not know why the service failed, but in any way it was a backdoor better done away with.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

At Calcutta.

Tuesday, 28th January 1913.

FOURTEENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.	ABDUR RAHIM, ESQ.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.	GOPAL KRISHNA GOKHALE, ESQ., C.I.E.
SIR THEODORE MORISON, K.C.I.E.	WALTER CULLEY MADGE, ESQ., C.I.E.
SIR VALENTINE CHIROL.	FRANK GEORGE SLY, ESQ., C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.	JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, ESQ., I.C.S., Chairman of the Calcutta Improvement Trust.	SARODA PRASAD SEN, ESQ., Additional Sessions Judge, Sylhet. RAI BAHADUR PRIYA NATH MUKHERJI, Inspector-General of Registration, Bengal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. } (*Joint Secretaries.*)
R. R. SCOTT, ESQ.,

J. C. SHORROCK, ESQ., Director of the Bank of Bengal, etc., Calcutta.

Written answers relating to the Indian Civil Service.

14516. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—There should be some form of competitive examination, but the whole system of recruitment needs modification as outlined in my answer to question (2).

14517. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system is faulty because it relies entirely upon the *mere capacity* to cram for, and pass, an examination, and ignores the fact that force of character frequently does not accompany ability to pass such an examination. In my opinion, boys destined for a career in the Indian Services should be selected at an earlier age, somewhat on the lines in force in the Navy—

(*a*) Nominate every year a certain number of boys between the ages of 12 and 14. (*b*) Assist, say, by an exhibition of £50 per annum, towards their education at certain selected residential schools in the United Kingdom up to the age of 17. (*c*) At the age of 17, hold a competitive examination amongst the nominated boys. (*d*) Successful candidates will then be granted for the different branches of the different Services, and specializing up to the age of 21 to 23 will then be undertaken at residential universities or elsewhere according to the branch of the Service for which the candidate has qualified. (*e*) Pass Final Board for general fitness and come to India at 21 to 23 years of age.

N.B.—The objection may be raised to this that the nominations may largely exceed the actual requirements, that "India" will be getting "nothing for her money" in assisting in the education of boys who will never serve her. What is the harm in this? India can afford to spend a few thousands a year on a scheme to obtain good public servants. I should always have at least a hundred more candidates each year than there are vacancies. The boys cannot complain if they fail in the competitive examination for, after all, they have had a first-class "assisted" education given them.

14518. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—If a system were in force such as indicated in my answer to question (2), it should be thrown open to all British subjects irrespective of race, creed or colour.

14519. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to any system of simultaneous examinations in India and in England, and the conclusions of the 1886-87 Commission still hold good—

(*a*) because to-day more than ever, when the democratic spirit of the West is entering more largely into the administration of Indian affairs, it is essential that the officers who are responsible for that administration should be educated and brought up from boyhood in an atmosphere of Western—not Eastern—ideals. This applies with equal force to country-born Englishmen, to Eurasians, and to Indians; (*b*) because there is no guarantee that the secrecy of the examination could be preserved in this country; (*c*) because the "best men" in India are not to be found by competitive examination; they can only be secured by selection.

14520. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India," recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I would not recruit "Natives of India" for any vacancies in the Covenanted Indian Civil Service by examination in India. If any such vacancies are filled, they should be by selection pure and simple, and should be limited to a very small proportion, say, 5 per cent. of the whole cadre.

14521. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—Only by careful selection by a committee appointed by Government and consisting entirely of Englishmen. *See* answer to question (7.)

14522. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—Twenty-one years old to twenty-three years old.

14523. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are "Natives of India" and other candidates? If so, state them and give reasons?—No.

14524. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—All the highest posts in all the Services should be held by Englishmen by birth.

14525. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I think the pay of the whole Service requires revision and enhancement. Twenty-five years ago it was sufficient; to-day it is not. Every endeavour should be made to make the Service as attractive as possible to secure the best men.

MR. J. C. SHORROCK called and examined.

14526. (*Chairman.*) You come forward to give evidence as a member of the commercial community?—Yes.

14527. Will you tell us what are the public positions you occupy?—I am a member of the Committee of the Bengal Chamber of Commerce; I am Director of the Bank of Bengal; and I was President last year. I am Commissioner for the Port of Calcutta; and Acting Governor of La Martinière

14528. Does the evidence which you give to-day represent your own personal opinion or do you speak as representing the Chamber of Commerce?—I speak on my own behalf, but I am a Member of the Committee of the Chamber of Commerce, and I can speak for it if necessary.

14529. But is what you say to-day your own opinion, or the opinion of the Chamber of Commerce?—I can speak for myself, and also for the Committee of the Chamber of Commerce.

14530. The opinion of the Chamber of Commerce, I take it, is an opinion more or less confined to themselves; or have you any means by which you can get the opinion of the whole of the members of the Chamber?—We are getting the opinion of the whole of the members of the Chamber, because it is the intention of the Committee of the Chamber to send in a representation to this Commission, if it is permitted, giving the opinion of the Chamber. We are taking the individual opinions of every member before sending in that representation.

14531. We are going to have that opinion but I understand that you are giving it too to-day?—I am giving my own opinion.

14532. I want to make it quite clear whether what you are giving us to-day is your own opinion, or the opinion of the Chamber of Commerce?—My own opinion.

14533. How many years have you been in India?—I came out in 1889; and I have therefore been in India for twenty-four years.

14534. So that you have had a long and intimate acquaintance with commercial conditions?—Yes.

14535. And you have been in business during all that time?—Yes.

14536. The scheme which you recommend is based largely on the system of entry and training which is in practice for Naval officers?—Yes.

14537. Have you formed any estimate of what the cost of the scheme would be referred to in your answer to question (2)?—No.

14538. It would be an expensive one, would it not?—I have sketched out the principle, but I have not attempted to formulate a detailed scheme.

14539. Your idea is to get Indian boys at the age of 12 and to send them to England?—All boys, get them young.

14540. You would start all the boys, European and Indian, at the age of 12 on a special course of training for the Indian Civil Service?—I would nominate them, and from those boys so nominated I would pass them into the service.

14541. From your knowledge of India, do you think that there would be any difficulty in getting parents to part with their children at that age so that they could go to England?—There would be some difficulty, perhaps, but that difficulty would have to be overcome.

14542. Do you think that the difficulty could be overcome?—Yes, I think so. If parents wished their boys to take part in, and to form part of, an English administration, I think they would have to overcome that difficulty.

14543. I see that you would make an annual allowance to the selected candidates to enable them to undergo a special course at Universities and elsewhere?—Yes. After they have passed their competitive examination their education would practically be paid for.

14544. What kind of allowance would you grant them during their stay at a University?—I have not thought that out.

14545. Have you thought out who would be the nominating authorities for your scheme: I see that you do not mention any?—No.

14546. Have you any idea?—I think they should be institutions connected with India, and the services, very largely.

14547. At the age of 17 you would hold a competitive examination amongst the nominated boys, and then the successful candidates would be allotted to the different branches of the different services, and there would be specialising up to the age of 21 to 23 which would be undertaken at residential Universities or elsewhere. Would that entail a final examination?—I do not say a competitive examination: it would entail a final passing before a general Board so far as general fitness and general knowledge is concerned in order to see that the candidates had made use of the years since they were 17 or 18 years old.

14548. Is this scheme which you suggest proposed by you because you are not satisfied with the results of the present open competitive examination?—Yes.

14549. You are not satisfied with the class of Civilian now coming into the service?—I think there is a general impression that the class might be improved.

14550. Therefore your scheme is only based upon a general impression?—I have some personal knowledge too.

14551. Do you mean that you have personal knowledge of the general standard of manner and character, and such like qualities, and that you think that the position is not so satisfactory to-day as it was in previous years.—I think the open competitive system admits men to the Indian Civil Service who are not, perhaps, quite fitted in other respects for it.

14552. You think that the nomination system would obviate that difficulty?—Yes, I think so.

14553. You suggest that a certain number of posts in India should be filled by selection pure and simple, up to a limit of, say, 5 per cent. of the whole cadre. Would selection in this case follow on a qualifying examination?—I say selection, pure and simple.

14554. Quite irrespective of educational qualifications?—They would hardly be selected if they had not educational qualifications.

14555. Would you have a test?—Yes; they would have to pass a certain standard of education.

14556. What sort of posts would you throw open to candidates—specially appointed in India?—It is very difficult to answer that question, because I have not sufficient knowledge of it. It is a very large question to say exactly what posts should be thrown open.

14557. You say that all the highest posts in the administration should be held by Englishmen: What posts would you give to Indians recruited to the Indian Civil Service under your system of nomination and training?—All, except the highest posts.

14558. What do you mean by the "highest posts"?—Lieutenant-Governors.

14559. The Board of Revenue?—Members of the Executive Council.

14560. Would you have any objection to their holding positions in the Board of Revenue Secretariat?—I think it would be an exceptional case. I would not keep a man out simply because he was a "Native of India," but, as I say, I think that the highest posts in the service should be held by Englishmen.

14561. You lay stress on the point that the administration should be kept in the hands of Europeans. I would ask you whether you would favour the increased employment of Indians in the administration of the country?—I think there will have to be an increase to a certain extent, but I should go very slowly with it.

14562. You are not prepared to speak more definitely than that?—No.

14563. As regards your own business position, you are opposed to the proposal for simultaneous examinations because you feel that there is no certainty as to what the result of them may be?—That is so, very largely.

14564. However remote the chances may be of an undue number of Indians gaining admission to the Civil Service, you think that the possible danger should be guarded against?—Possible danger of what, may I ask?

14565. Of Indians swamping the Europeans in the examination?—I am inclined to think that that would eventually be the result.

14566. As a business man, what do you think would be the effect on the general financial and business conditions if that contingency were to take place?—I think there would be distinct signs of a want of confidence in the country.

14567. What would that result in?—It is very difficult to say how it would result; but I think it would be still more difficult to attract capital to India for development.

14568. Do you anticipate that a great deal of capital will be required in India in the next decade for industrial and commercial progress and development?—Yes, I think so.

14569. Which do you say would be the most likely to discourage capital, uncertainty as to the result of an unfixed proportion in a simultaneous examination, or the certainty of an increase of Indians in the Civil Service but upon a system of recruitment which fixes quite clearly and definitely the proportion between Europeans and Indians?—I think it would have a less evil effect upon confidence in business, that is, if the proportion were fixed definitely, and it was known what it was.

14570. You would sooner have a fixed increase than have uncertainty? Yes, I would sooner have that.

14571. (*Lord Ronaldshay.*) You are the President of the Bank of Bengal?—Yes.

14572. Have you many branches throughout the province?—We have branches all over India.

14573. And generally speaking, are those branches in charge of a European, or are they in charge of a Native of India?—They are always in charge of a European.

14574. Invariably?—Yes, invariably.

14575. Does it cost you more to keep a European at the head of your branches than it would to keep an Indian at the head of your branches?—We have never had an Indian in charge of a branch, but it would be cheaper if we could employ him.

14576. Why is it, then, that you invariably employ a European as the head of your branches?—Because in banking particularly it is essential to have strong European supervision.

14577. Am I to understand from that, that the class of Indian whom you would be able to recruit for your banking business would not provide you with a man whom you could with confidence place at the head of your branches?—So far we have not yet found them. We are, however, attempting at the present time to make what we call sub-accountants from among our Indian staff; but that is the limit to which we have been justified in going so far.

14578. Could you tell me what class of Indians you employ in your banking business: are they graduates of Universities, or from what class do you draw them?—They are drawn chiefly from the middle class. They are not, I take it, graduates of a University. I cannot speak with absolute certainty and accuracy; but, generally speaking, they are not graduates of Universities.

14579. Speaking generally, do you think that the members of the Provincial Service, for instance, are drawn from the same class as your employés?—Yes, I think so.

14580. In answer to question (2) you suggest that the recruits to the Indian Civil Service who come out at the present time are not wholly satisfactory; in fact, you actually say that the "present system is faulty because it relies entirely upon the mere capacity to cram for and pass an examination, and ignores the fact that force of character frequently does not accompan ability to pass such an examination." I think you told the Chairman that you based your conclusion that the present recruits are not quite of the type you would like to see upon your personal knowledge of a large number of them. Is not that so?—No, I did not say that. I knew personally some cases, but it was chiefly by hearsay and information.

14581. By hearsay: from your personal knowledge of the matter?—I have personal knowledge, but it is chiefly from information which I consider reliable.

14582. This is a very important question, and I should like to get a little more definite information upon it. Are there any members of other nationalities in the Civil Service,—naturalised foreigners?—Not that I am aware of.

14583. You have not come across naturalised Germans, for instance; I do not say German in particular, but naturalised British subjects who are really of foreign extraction. You have not come across instances of that in the service?—No.

14584. So that you are not able to say whether they would make officials who would be likely to deal with the Indian sympathetically or not?—I have no personal knowledge of that.

14585. Have you any knowledge of Colonials who are members of the Indian Civil Service?—No, I do not know any of those personally.

14586. You cannot give me anything really very definitely for suggesting that a system of combined nomination and examination would provide the service with a more suitable type of recruit?—I have some personal experience, but I speak chiefly from information received, and it seems to me that the class of boy from which the Civil Service is recruited is not quite the best class of boy for this country, not always.

14587. In answer to question (6), you say that "the best men in India are not to be found by competitive examination; they can only be secured by selection." Arising out of that I should like to ask you whether, in your experience, the members of the Provincial Service are, generally speaking, superior to the Indian members of the Indian Civil Service?—I do not think I can give any answer upon that, as I have no knowledge.

14588. You do not think you could give an opinion upon that?—No.

14589. But I suppose in the course of your long residence in this country you must have come into contact with members of the Provincial Service and with members of the Indian Civil Service?—Living in Calcutta as I have done during all the time I have been in India, it is only to a very small extent that I have come into contact with members of the Provincial Service.

14590. Will you tell me exactly upon what you base your calculation that "the best men in India are not to be found by competitive examination"?—I base it on my own experience in business. I do not think that from the results of an examination you can find men whom you could pick out for the more responsible posts.

14591. Do you ever recruit any of your men in business by means of examination?—Never.

14592. Then you have never had any experience of men who have been recruited by means of examination?—If you are referring to my own business, I must acknowledge that I have no experience of that.

14593. I still do not understand what your actual experience is which leads you to inform us that "the best men in India are not to be found by competitive examination"?—As I say, I have no personal opinion upon the matter myself; but it is from information that I have received that the men who can pass a good competitive examination easily are not men of force of character, or the right men.

14594. Your conclusion, then, is really not actually based upon your personal knowledge of men who have passed examinations, and men who have not: it is more from your general impression?—Except in regard to those men who stand out amongst Indians. To my mind I do not think they are men who have passed and obtained that position by competitive examination.

14595. (*Sir Theodore Morison.*) Continuing that question, have you found a better class of men, Indians, in course of business, than those who have actually passed a competitive examination—is there a better class to be found? You say, "because the best men in India are not to be found by competitive examination": I want to know who those "best men" are, and what your experience of them is: or, do you only say that you "surmise"?—I say, speaking generally of my knowledge of India, that to get the "best man" you want for a job you must pick him. You must not put the post up for competitive examination; you must select him.

14596. Do you know any class of men who are much better than those who are secured by the Government service, and who have not secured Government service because there is competitive examination? I want to know whether there is a class whom Government has failed to secure, but who, in your opinion, are a great deal better than those they have actually secured?—I have no knowledge of that.

14597. Continuing the answer you gave to the Chairman, would you tell me what are the highest salaries at which Indians enter your service?—They enter as probationers. The employés of our firm enter on a salary of about Rs. 10 or Rs. 15 a month, on probation. A young Bengali Babu writer comes in on that.

14598. What are his prospects?—He works up slowly to a maximum of Rs. 100 to Rs. 120.

14599. So that they are really not of the same class as the Provincial Service men whose prospects are very much higher, and who enter on bigger salaries than your men finish with?—When they speak to me about their daughters marrying, they always tell me that they are marrying "So and so, who is in the Provincial Service," the son of so and so. It therefore strikes me that they must all come from the same class.

14600. The same social stratum, but not the same ability?—Yes.

14601. With regard to your answer to question (45), you advocate increase of pay in the Civil Service, on account of the general rise in prices, etc.?—Yes.

14602. How much has the scale of remuneration in commercial circles risen in recent years; or has it risen?—Yes; it has risen very considerably.

14603. In the last ten or fifteen years?—Yes, during the last fifteen to twenty years: it is during the last fifteen years, chiefly, that prices have risen.

14604. Could you give us an idea of the percentage of the increase?—No; it varies very greatly.

14605. At what salary do you recruit young Englishmen at?—In my firm they come out at Rs. 400 a month.

14606. At what salary did they come out on ten or fifteen years ago?—Rs. 300.

14607. That would be about 25 per cent. rise?—Yes.

14608. Is that higher scale of remuneration carried throughout?—Everywhere. Throughout both the Indian staff and the European staff it has gone up.

14609. So that men who were getting Rs. 1,000 fifteen years ago are now getting Rs. 1,250?—Yes.

14610. Have you noticed that this increase of pay in commercial circles, and the failure to get such an increase in Government service, has affected recruitment in this country; that there is an increasing tendency to go into business rather than to go into the Civil Service?—No; I do not think that it has had any effect.

14611. Have you heard cases recently of men preferring a commercial career to Government service?—I can only speak with regard to this Province of Bengal—from Allahabad on the west to Assam on the east, from Darjeeling on the north to Orissa on the south; but I should say that there is less inclination to go into business, because, after all, the population of this part of the country seems to have entirely lost their trading instincts.

14612. I am referring more particularly to English people. For instance, do you find amongst your own friends that there is a tendency to say, "I should like my son to come out to business here, but I do not want him to go into the Civil Service"?—I think that it has phases: one generation goes one way and another generation goes another. That is my experience.

14613. With regard to the salaries which Government ought to pay, how much more does a commercial firm pay a young Englishman out here than the same man in England: you say you have recruits at Rs. 400 a month; that is £320 a year?—It is rather a difficult question to answer.

14614. What would the same sort of young man get at home?—He would get from £50 to £100 a year.

14615. And you give him £300?—Yes.

14616. What would a young fellow starting as a clerk in a Bank get?—The salaries vary. A young fellow would get from £75 to £100 at home, and he would come out here and get Rs. 400 a month at once.

14617. The same class of man ?—Yes.

14618. Do you get a better class of young fellow socially: do you get a public-school boy ? —Yes.

14619. Do they get public-school boys in Banks in London ?—Not so far as I am aware, to any great extent.

14620. Would you say that in the Banks here you have got socially rather a better class than the Banks in England?—I do not know. I know nothing about the Banks in England.

14621. So that your general opinion is that you pay about £300 a year for the same article that they get in London for £75 or £100 to begin with ?—Yes.

14622. (*Mr. Gokhale.*) With reference to your statement that you invariably place Europeans at the head of your branches, and that it has not been found possible to employ Indians in that capacity, do you know that there are several Indian Banks now in different parts of the country ?—I do.

14623. With Indian Boards of Directors, and Indian management generally ?—Yes.

14624. And they are all doing well as far as you can judge from the market value of their shares ?—Yes.

14625. In reply to question (19), you say "All the highest posts in all the services should be held by Englishmen by birth." I should like to understand your idea a little more clearly. You say, "all the highest posts in all the services." Will you kindly tell us what you mean by "all the services ?—There is the Indian Civil Service, the Public Works, and the Police.

14626. Not only the Indian Civil Service, but all the special departments also ?—By "all the services," I mean the whole service.

14627. You say, "All the highest posts." Give us an idea of what you mean by "all the highest posts." Take the Civil Service. Give me an idea as to where you draw the line as to what are the "highest posts" ?—I am not prepared to say where I would draw the line. I would leave it as a matter of principle.

14628. A matter of principle cannot help us much unless we have some definite idea about it. You mentioned Lieutenant-Governors and Members of the Executive Council ?—Yes.

14629. You said you were not quite sure about the Board of Revenue, but, exceptionally, there might be an Indian as regards Commissionerships; would you express an opinion upon that ?—No, it all depends upon my answer to question (2), if they go through that training.

14630. You advocate a certain scheme for training, and yet you say that "all the highest posts in all the services should be held by Englishmen by birth." You do not say, "should be held by men who have undergone the training." That probably means that you would exclude Indians even if they had gone through the training as prescribed in your answer to question (2) ?—As a general rule.

14631. Would you include Commissionerships as amongst the "highest posts"?—I would rather not say that; I would rather not express an opinion.

14632. You say you would exclude Members of Council: that means that you would withdraw the concession that has recently been made of appointing one Indian to the Executive Councils throughout the country. You withdraw that ?—I would not make it a genera practice.

14633. But that is the promise which has now been given: the Secretary of State has announced it ?—That is only my own opinion. I say, when you get a good man do not hesitate to put him in.

14634. You disapprove of the concession ?—I disapprove of making it a general practice.

14635. Also you object to Indians being put on the Secretary of State's Council: you do not quite like Indians being put there ?—As long as you get a first-class man I have no objection, but not to make it a general practice that they must be there.

14636. Even if you get first-class Indians, how could they fulfil your condition of being Englishmen by birth ?—I would make the exception.

14637. The rule would be that all those posts should be held by "Englishmen by birth," and in very exceptional cases, you would allow an Indian ?—Yes; you have put it correctly.

14638. I believe you know that the Act of 1833 promises equal opportunities for Indians to all offices. That is a Parliamentary Statute which says that no Native of India by mere reason of his place of birth, or religion, or race, shall be excluded from any office. That section would have to be repealed if your idea is to be carried out ?—That is a matter for the lawyers.

14639. And the Queen's Proclamation will also have to be withdrawn ?—I think so.

14640. You have been looking at this question, I am sure, from a certain standpoint. May I ask you to exercise a little imagination, and look at it from the standpoint of the Indian ? How would you feel with regard to a situation like this if you were an Indian ?—Exactly what sort of situation ?

14641. "All the highest posts to be held by Englishmen by birth," and a Board of Selection to be composed only of Englishmen, even in India, and the only training that is possible which would qualify Indians for the higher offices is to be in accordance with what you say in reply to question (2). If you were an Indian, how would all this strike you ?—I am not an Indian, so that I do not think I can say.

14642. You could not stretch your imagination to that point ?—No.

14643. But the Government have to think of the feelings and the ideas of Indians. And anybody who has to approach this question with a sense of responsibility will have to look at this not only from the standpoint of Englishmen, but also from the standpoint of Indians.

14644. (*Mr. Sly.*) You alluded to a class of recruits attracted to the Indian Civil Service which you thought were not, perhaps, the best. Could you explain to us a little more clearly the defects in the present Indian Civil Service recruits which you have observed: I mean, what are these particular defects that they have ; is it a question of manners ?—I do not think they are altogether drawing recruits in the Indian Civil Service from the right class of boys in England. I think you want boys who have been brought up from childhood in families where there have been for two or three generations education and culture; where they have been taught to respect subordinates, and to show consideration for them, and where they have had the advantage of considerable family discipline or school discipline at an early age.

14645. The defect is really social?—It is more than social, because it means character.

14646. To come to your scheme for remedying those defects, you wish to have a certain number of boys nominated. There is one point I have not understood clearly with regard to your scheme, and that is how many nominations do you propose compared with the ultimate number of appointments that have to be given? I should have a very large excess of nominations.

14647. And that, of course, would entail a very large expense, would it not?—What does the expense matter?

14648. As a matter of fact, the annual recruitment for the Indian Civil Service may be put down at about 50 a year. How many nominations would you suggest on the supposition that the annual recruitment would be about 50?—That is for the Indian Civil Service—the Covenanted Service; but I include in this all services.

14649. In all services?—In all services for India.

14650. But do you suggest that the technical services, such as the Public Works, should be recruited in the same way?—Yes, and after the age of 17 to specialise the recruit.

14651. You have told us that in business firms the assistants are generally brought out at Rs. 400 a month at the present time. Is that their total salary, or are there any allowances or additions to that?—To begin with, that is generally their total salary.

14652. There is no carriage allowance or servant allowance or house allowance?—That probably comes later.

14653. The salary is Rs. 400 a month to begin with?—Yes.

14654. There is another point upon which it would be useful to get information. What are the ultimate prospects of these Europeans who enter business firms in Calcutta? Do you know that in the Indian Civil Service everybody retires on an annuity of £1,000 a year?—Yes.

14655. Can you tell us with what average income a business man would retire?—It would be impossible to say.

14656. What I want to get at is whether the ultimate prospects in business are better or worse than they are in the Indian Civil Service?—I do not think I could answer that question.

14657. Can you tell us what are the leave rules for Europeans in ordinary business concerns?—They vary. I can only give you my own, which are, one hot weather away in four.

14658. For how many months?—For seven or eight months.

14659. What salary do you allow during that period of seven or eight months?—Sometimes full salary and sometimes half salary. It all depends upon circumstances.

14660. The circumstances being the esteem in which you hold a man?—It depends upon how the work is being done; whether it is being carried on by another man or not. You can lay down no hard-and-fast rule, except that every man is entitled to one hot weather away out of four.

14661. What is he entitled to in the shape of salary during that time?—There is no written law. It is half pay in some cases, but it is not always kept to.

14662. In some cases there is full pay?—Yes.

14663. Does he get his passage paid there and back?—Sometimes he does, and sometimes he does not.

14664. With regard to European business generally in Calcutta, is the proportion of Europeans employed in European houses, in superior posts of responsibility, increasing or decreasing?—It is increasing. It has increased largely during the last twenty years.

14665. Is there any tendency for Indians to be put into superior posts of responsibility in European business houses?—I do not think so in this part of the country.

14666. Can you tell us whether Europeans are employed or not in posts of responsibility in Indian business firms?—I cannot say.

14667. You do not know of any cases?—No.

14668. You were asked some questions just now about Indian Banks. Do you know whether in those Indian Banks they do or do not employ Europeans in responsible posts?—Those Indian Banks which I know of do not; at any rate on this side they do not; but I believe on the other side of India, on the Bombay side, they do employ Europeans, and the Banks are very largely under European management.

14669. With regard to the Bank of Bengal, you said that recently it had been decided that the posts of sub-accountants should be opened to Indians as being an improved prospect for Indians. Can you tell us what pay those sub-accountants draw?—I cannot. The reason is one of economy. An Indian sub-accountant would save the Bank money as compared with a European sub-accountant.

14670. What is the rate of salary of a sub-accountant?—I cannot tell you offhand, but I think it is about Rs. 200 or Rs. 250 a month.

14671. (*Mr. Macdonald.*) With reference to your idea of nomination, do you not think that everybody who is qualified and is prepared to come up to the required standard should have a right to offer themselves for service under Government, and to pass an examination?—Who is to judge of their qualifications?

14672. The examination, and under your system the Selecting Board?—Yes, as long as they have passed the Selecting Board.

14673. And passed the examination?—Yes.

14674. Do you think that whilst you have nomination you can carry out that principle?—I think so, to a very great extent.

14675. Let us try and see what would happen. Suppose we were both members of this Selecting Board, we would have no difficulty with two classes of the applicants. There would be a certain number of them who would clearly pass. Your own experience would shew you that there are certain men who right-away strike you as being men of good possibilities, and you would pass them on as being acceptable. Then there is a certain number, is there not, who are obviously unfit, and you would reject them: but is not the greater number of young men, especially at the age of 12 to 14, very doubtful?—Yes, and therefore I think you would have to draw them from boys of a certain class.

14676. Your selecting standard would very largely be a class standard, and not a standard that applies to the individual who is applying to you?—I think it is very desirable that it should be a class standard.

14677. So that people who come from the class I come from would be cut out?—I do not say that.

14678. In making your nominations of Indian boys in particular, would you limit the number of selections?—As I say, the whole of this scheme is merely a principle. I have not tried to formulate a detailed scheme, or worked it out.

14679. You said in reply to the Chairman that you feel that there must be—to use a phrase which we have been using a great deal—an irreducible minimum of Europeans in the Indian Civil Service?—Yes, for some time to come; for many years to come.

14680. Do you not think, whatever details you would fill in, that that idea would require you to limit the number of Indians whom you would pass on as approved candidates?—They have got to get their nominations.

14681. Would not that idea of yours mean that the nominations you would give to Indians would always have to be very limited?—It would act automatically that way.

14682. So that it would not merely be the kind of candidate, or the class he comes from that you would have to take into account, but you would also have to take into account the number that you can afford to pass on as approved men?—Probably that would be a practical way of working it.

14683. You admit, I think, that some increase must be made in the number of posts held by Indians, but I think you said that the increase would be required to be made very slowly?—I think the world is moving on.

14684. And in making that slow improvement you would have to take into account the sensitiveness of capital—the economic conditions of India, I think you said?—Yes.

14685. Would not you also require to take into account the political conditions of India?—I do not quite know what you mean by "political conditions."

14686. I will put it to you in this way; supposing the refusal to open the door for admission very widely into the Civil Service is regarded by a large section of the people of India,—let us call them the agitating section of the people of India,—as a very great grievance, would not that influence you in the rapidity with which to go along?—It would depend. It would be better to risk that dissatisfaction than to have bad administration.

14687. But it is one of the elements which you would have to consider, is it not?—Yes, but you would have that to consider as well.

14688. In reply to the Chairman, you said that certain things would have to be taken into account when you considered the effect of Indian opinion upon capital. Do you not think that it is an exceedingly bad thing from a business point of view, from the point of view of capital, to have a state of political unrest in the country where your capital is operating and fructifying?—Undoubtedly.

14689. And consequently the sensitiveness of capital would be determined very largely by the political passivity of the country?—Yes.

14690. So that if the educated youth of India have got grievances against the Government, that is a very serious consideration for the capital of the country?—But I would not redress grievances at the expense of efficient administration.

14691. Then the line you would draw in considering how far we should go would be determined mainly by the consideration of efficient administration?—To a very great extent.

14692. You would take all these other things into account, but you would always come up against the problem of what is efficient administration. I take it that that is your point of view?—Yes.

14693. And the point of view which you, as a representative business man, would like to bring before the Commission?—Yes.

14694. You have been asked about furlough. Were you speaking of the Bank of Bengal, or your own business, when you replied to Mr. Sly?—I was speaking of my own business.

14695. I do not want to take you over the same ground about the Bank, but is it substantially the same in the Bank?—I am not quite sure. I should have to look that up for you.

14696. In addition to furlough, do you insist upon men taking an annual holiday, that is to say, the European class?—Yes. Slack times always come round in the year, and one is only too glad if they will go away for a change.

14697. You know our principle at home of men having a holiday of varying length when they get to responsible positions—I suppose of about a month: do you have that here?—Practically it always can be got. I am a great believer in letting men go for a holiday.

14698. You do not regard it as a virtue if a member of your staff tells you that he has not had a holiday for four or five years?—No.

14699. During these holidays do they have full pay?—Yes.

14700. Do you give your men "Calcutta allowances"?—No, not generally speaking.

14701. I suppose you would give them higher wages in Calcutta?—If a man comes down from a branch to Calcutta he gets an extra allowance, because Calcutta is more expensive than the mufussal.

14702. Have you any arrangements for medical attendance on your employés?—Not in the office at Calcutta.

14703. For your staff?—Yes, at the mills and up-country.

14704. I am referring to the European staff in Calcutta?—No, we have not.

14705. But you have at the mills?—Yes.

14706. They come in with the mill arrangement?—Yes.

14707. (*Mr. Madge.*) You have been careful to tell us that your opinion, so far as you wish to be responsible for it, is your own; but have you any reason for thinking that your opinion is not a reflection, more or less, of commercial opinion, so far as you know it, generally?—I think it is a reflection of commercial opinion generally.

14708. You have used the word "hearsay," which has not a very nice reputation in Courts, but you subsequently said "information." I gather that a man of your experience, when hearing things, would subject all your information to the test of your own judgment as to whether it would be acceptable or not?—I should do my best to obtain reliable information.

14709. Is your social intercourse tempered in any way by casual official information upon these points about the administration: do you come across in social intercourse, officers, from whom you receive opinions on one subject or another connected with Administration at all, so that you could say that your commercial opinion as regards administrative matters was tempered by official information?—Yes, frequently.

14710. Coming to your scheme, I should have thought from what I make of it that you think the competitive system results, as you say, in cramming, and all that kind of thing, and that it does not test character?—That is my opinion.

14711. And what you desire would be some better means of testing character?—Yes, that is what I want to say.

14712. You have given us a system which is not perfect, but you refer to the Navy and to other bodies which test what they believe to be character as well as they can; and I should imagine from what you have said, not that you are absolutely incapable of thinking out a scheme, but that you would rather trust experts than yourself speculate on the subject?—So far as the principle of the scheme is concerned, I would rather trust selection than examination.

14713. That is not the point. The point is this: you do not perfect the scheme, but you have given certain outlines of a scheme. The point of my question is this: you do not mean to say that if you were challenged to think out a scheme you could not do it, but, as certain bodies are already in existence, you would rather leave to experts to plan out a scheme, than give one yourself?—Given time and access to information, I think I could formulate a detailed scheme on this basis.

14714. You have also used the word "class," which, in these days, has rather an evil reputation. What do you mean by "class"; do you mean type of character and mind, or a person belonging to a particular class in society?—In what connection did I use the word?

14715. You were asked by Mr. Macdonald whether you would shut out certain classes, and you said Yes, or something to that effect. Do you mean any social class, or any type of character?—I tried to explain it. What I meant by "class of boy" was, boys who had been brought up in the atmosphere of discipline, and were able to treat subordinates with consideration from their youth. I have generally found that this class of boys are better able to deal with the people in this country.

14716. Do you not think on reflection that "type of character" would better express what you mean than "class," which in these days means social class?—Perhaps it is a better definition.

14717. You think the Administration in this country should preserve a British tone?—I think it is absolutely essential to preserve British tone and character.

14718. And it is mainly on that ground that you wish to reserve as large a proportion as possible in British hands. Do you think it is possible to perfect a machinery in this country which would act independently of the persons who work it?—What sort of machinery?

14719. I am contrasting the effective machinery with the personality of the men who work it. Do you think it is possible to perfect a machinery which, put into the hands of any class of officers, would get along all right?—That is the personal element,—no.

14720. If there were defects in the machinery the personality might correct it?—Yes.

14721. You think that there has been some kind of deterioration in men who come out into the service: do you think that the deterioration, so far as it exists at all, is confined to the services, or applies to all kinds of callings; that is to say, does India seem to present fewer attractions than it did before so far as Indian careers are concerned?—I can hardly speak on that subject, but I should think fewer, from what one knows: it is a less good career than it was 25 years ago.

14722. In all callings, India is less attractive?—Yes.

14723. Do you think this diminution in attractiveness has had any reflex action upon all callings, more or less?—To some extent, yes.

14724. Nomination is supposed to open the door to jobbery and things of that kind: have you ever thought out how any scheme of nomination could be protected against that sort of thing?—It is a matter of detail, I think.

14725. (*Mr. Abdur Rahim.*) I think I understood you to say that if Indians were employed more largely than at present in the higher offices that would frighten away capital; did I understand you to say that?—In what particular way?

14726. If Indians were employed more largely than at present in the higher offices of Government, do you think that would frighten away capital?—I think it would. If it were done to too great an extent, I think it would have that effect eventually.

14727. If it is done to a much greater extent than at present?—Yes, it would have that effect.

14728. Do you think the efficient administration of justice has any effect on the question of whether capital would be attracted to or frightened away from India?—It may be one of the factors, but not much.

14729. I am speaking of the efficient administration of justice?—It may be one of the factors of the whole administrative machine.

14730. But it is an important factor?—Yes.

14731. Do you know that Indians for a long time have been appointed Judges in very high places in the administration? Do you think that so far it has had any deleterious effect upon capital?—So far it apparently has not had any deleterious effect.

14732. Do you know that the highest authorities have said that Indians make very good and efficient Judges?—Who says that?

14733. The Privy Council has said it; Lord Chancellors have said it; Secretaries of State have said it; the Government of India have said it?—Yes, I can quite believe it, because I think that they are more fitted for the administration of justice, pure and simple, than they are for executive duties.

14734. And the highest authorities have also said that so far as the administration of justice is concerned Indians make as good Judges as Europeans: so that in that department, I take it, the introduction of more Indians will not frighten away capital?—I am not prepared to say that.

14735 Is it the efficiency of administration, or is it the men holding certain offices in the administration, whether Europeans or Natives, that has an effect upon capital?—Administration as a whole.

14736. If the efficiency of Administration, so far as the administration of justice is concerned, is kept up by Indian Judges, do you still think that their employment in larger numbers will frighten away capital?—As Judges?

14737. Yes, as Judges?—I am not prepared to answer that without full consideration.

14738. Perhaps you do not know very much about the administration of justice?—I do not. I have had very little to do with it.

14739. Have you any experience of the work of Indians in the Indian Civil Service?—No, none.

14740. What do you base your statement upon? Do you base it on *à priori* grounds?—What statement?

14741. That the larger employment of Indians in the higher administration would tend to frighten away capital?—It is my opinion, with my knowledge of this country and my knowledge of business.

14742. That opinion was not based upon your experience of the work of Indians in responsible offices, whether in the administration of justice, or in any other branch of the Administration?—I do not quite understand.

14743. I say your opinion was not based upon any experience of the work of Indians in high places in the Government?—It is based upon my general knowledge of India.

14744. Of the work of Indians occupying high places in the Government?—Including that.

14745. Then I ask you again, have you had any experience of the work of Indians in the Indian Civil Service?—Not in the Indian Civil

14746. Have you had any experience of the work of Indians in the Judicial Department as High Court Judges or as District Judges?—I have had very little to do with the administration of justice in this country.

14747. Have you had experience of Indian Collectors and Magistrates?—No.

14748. That nearly covers the whole field of the Civil Service: so I put it to you, that you really have had no experience of the work of Indians in high administrative posts?—No personal experience.

14749. You have stated that the Indians who go in for Government service are drawn from the same class as your clerks?—Yes, I think so.

14750. Clerks beginning at Rs. 10 or Rs. 15 a month. How many classes of Indians do you think there are in this country?—I do not know.

14751. What did you mean, then, when you said "the same class"?—When my clerks, my babus, came to me and explain their marriage difficulties, they seem to be intermarrying with people who are in the Provincial Service.

14752. You know there are different castes in this country?—I do.

14753 Take, for instance, the Brahman: you know that all Brahmans belong to the same caste; and that for the purposes of marriage one Brahman would be equal to another. Is that the sense in which you used the word "class"?—Yes.

14754. In the sense of caste?—Not exactly,—"class" the people, the mass of people, from whom the people are drawn, that come from that particular class.

14755. Has it ever struck you that the constitution of society in India is very different from the constitution of society in England?—Yes.

14756. What you understand by "classes" in England may have no meaning whatever in India: do you follow me?—Yes.

14757. Do you know that a ruler may bow before a poor man who is a Brahmin?—Yes.

14758. Do you think it natural on the part of Indians to aspire to serve the Government in high places?—Yes, I do.

14759. Would you encourage such high aspirations?—I sympathise with them; but I think they are aspirations which will take a long time before they can be fulfilled.

14760. That is a matter of prediction. I want to know whether you would yourself encourage such aspiration?—Yes, within reason; within the scope of the capabilities of the people.

14761. Would you help Indians to fit themselves for the higher places in the administration?—Do you mean personally or as a Government?

14762. As a Government?—Yes, certainly.

14763. Have you given many facilities to Indians to rise to high places in your Banks?—We have tried them.

14764. In what capacities?—In various capacities. I am speaking of my own business chiefly. We have tried them in many ways. It is not for want of trying them, because it is more economical to use them.

14765. You found them to fail?—Yes.

14766. Do you draw from that the inference that Indians as a race are incapable of rising to positions of high responsibility?—No, I think there are exceptions.

14767. You think there is capable material in India?—Yes.

14768. Then the whole matter is a question of selection?—Yes.

14769. (*Sir Valentine Chirol.*) I think I understood you to say that in spite of the spread of English education in Bengal there is no increased tendency on the part of Bengalis to go in for trade and commerce and industry, or only to a very slight degree?—The Bengalis have practically lost the whole of their commerce in the last twenty-five years. The wholesale commerce has been carried on by Europeans, and the whole of the retail commerce has been done by an alien race, the Marwaris.

14770. (*Sir Murray Hammick.*) I want to ask you whether you do not think as regards business (besides the rise in prices which has occurred in the last few years in India) business life is not now less attractive to boys in England choosing a career here owing to the fact that work is harder, and that openings in business in India are not so good as they were years ago, and that the general life in India by reputation is less venturesome and less attractive to young men?—To some extent.

14771. We are often told that the Civil Service is so much less attractive to boys in England than it used to be: does not the same thing apply to your young men in business, that is to say, when a boy is choosing his life, the life offered to him in India is less attractive, not only because India has become more expensive, but because life and business in India is harder than it used to be, and less full of any chance of adventure, such as appeals to a boy, and also that the openings for making a fortune are less than they used to be?—That is so. The expense of living in India is more than it used to be, and the chance of making money is less than in other parts of the world.

14772. And by repute the ordinary life is not so attractive to a young boy as it used to be?—India has come into competition with the rest of the world, and we have to hustle much more in competition and business.

14773. Are there any mills here owned by Indian firms; here or in Dacca or anywhere else? I am not talking of business firms, I am talking of mills: jute, etc?—There is one jute mill owned by the Maharaja of Darbhanga.

14774. Are the managers and foremen of those mills Europeans or Indians?—In all the mills they are Europeans.

14775. (*Mr. Bompas.*) You were asked whether it would be easier or more difficult to attract capital to India under certain hypothetical circumstances. Supposing it was a question of starting a new enterprise, could you say whether there would be any difference in the ease with which capital could be obtained if that enterprise was to be carried on in one of the Native States of India or in British territory?—A great many different factors come in there, but I should say British territory now.

14776. That it would be more difficult to get capital?—No, easier to get capital.

14777. (*Mr. Mukherji.*) In your scheme you limit the appointments open to Indians to only 5 per cent: do you know, as a matter of fact, that at the present day they are holding a very much larger proportion?—It was only a round figure. It was meant to be 5 per cent. by selection in this country, apart from the scheme.

14778. But even by selection in this country they are holding more than 5 per cent: surely you would not like to take away from them what they have at present?—But they would come in under the other scheme.

14779. (*Mr. Sen.*) You say that all the highest posts in the services should be held by Englishmen?—Yes.

14780. Even High Court Judgeships should not be held by Indians?—As a general principle. But if there is a good man do not hesitate to put him into the place which will fit him.

14781. You say as a rule?—Yes, as a rule.

14782. What about District Judgeships?—I have not thought about that.

14783. (*Mr. Gokhale.*) In reply to a question put to you by Mr. Sly, you stated that your impression was that most of the Indian Banks on the other side, by which I take it you meant Bombay, were under European management; are you quite sure about that?—That is my impression, because I know that the Specie Bank had a European Manager.

14784. The Specie Bank has never had a European Manager from the commencement up to now. I suppose you have in your mind the Bank of India?—Yes.

14785. But do you know there are numerous Indian banks which are entirely under Indian management, such as the Merchants' Bank, the Specie Bank, the Bank of Baroda?—Yes.

14786. And really the only Indian bank that is under European management is the Bank of India?—Yes.

14787. So that you will modify your answer to that extent?—Yes.

(The witness withdrew.)

A. W. C. CHAPLIN, ESQ., Tea Planter, Chairman, Duars Planters' Association, Sam Sing Tea Estate.

Written answers relating to the Indian and Provincial Civil Services.

14788. I approve of competitive examinations in England for the Indian Civil Service, as the system has proved itself on the whole the most satisfactory intellectual test in the case of Englishmen who have been trained and educated for the purpose. The competitive examinations for the Indian Civil

Service should be held in England, and it should be obligatory on all candidates, whether European or Indian, to receive an English education and training. This I consider essential to preserve the British character of the administration. I am not in favour of simultaneous examinations in England and in India, as I consider it essential to the continued good government of India that a fixed minimum of the European element in the Civil Service should be maintained and the present proportion of Englishmen, especially in the higher appointments, should under no circumstances be reduced. Simultaneous examinations—in view of the overwhelming numerical predominance of Indian candidates which they would attract—would inevitably result in increasing the number of successful Indian candidates. They would tend to discourage Europeans from competing, thus still further reducing the already diminishing number of English candidates, and eventually might possibly result in all, or nearly all, the successful candidates being Indians. The British character of the administration might thus be destroyed, and in my opinion no system should be adopted which would tend to eliminate the English element in the Indian Civil Service. I am not in favour of entirely open competition as a method of selecting "Natives of India" for the Public Services, since this would involve the risk of filling the services with members of classes who, although sufficiently educated to excel in competitive examinations, might not necessarily be so well qualified to govern as those less intellectual but more virile classes whose family traditions and vested interests render them more generally fitted for administrative work. Open competition might thus result in shutting out the very classes most fitted by nature to govern, and in my opinion the rules should be so framed as to guard against this risk. I am not satisfied with the statutory definition of the term "Natives of India." The term "Native of India" should refer only to those who are of Indian descent, and cannot be properly applied to those of unmixed European descent, even although born and domiciled in India. As regards the relative salaries of Statutory civilians and officers of the Provincial Civil Service holding listed posts, I consider the present arrangement by which the latter draw approximately two-thirds of the pay drawn in the same posts by members of the Indian Civil Service, is satisfactory. I am in favour of the principle of paying Civilian officers, brought out from or trained in the United Kingdom, more than those locally recruited. It is obvious that the former have many expenses, connected with the education of their children, their leave home, their more expensive standard of living, and the fact that they are serving far away from their own country—conditions which do not affect the "Native of India" officers—and as is customary in most other employments, it is only reasonable that they should accordingly draw larger salaries than officers locally recruited. In my opinion the pay of members of the Indian Civil Service and the scale of pensions (half of which they themselves contribute out of their pay) is by no means high. The scale of salaries and earnings of the general public have risen considerably all over the world during recent years. The scale of pay of Government officers has not relatively advanced. Having regard to the ability and high integrity of the average Indian civilian, there is little doubt that in professional and business careers he could, from a financial point of view, do far better for himself. This is not favourable to attracting the best brains to the Government services; and I am accordingly in favour of readjusting the scale of salaries of the Public Services to conform to the new circumstances and the increased cost of living that have followed modern conditions and greater commercial activity.

MR. A. W. C. CHAPLIN called and examined.

14789. (*Chairman.*) Mr. Chaplin, you come here to give evidence as Chairman of the Duars Planters' Association?—I am Chairman of the Planters' Association, but I have come in my own capacity. I have not had an opportunity to consult my Association.

14790. You come to give evidence only in your own personal capacity?—Yes.

14791. You are not speaking on behalf of the Association?—No, not officially. I know their views, but this has not been before a meeting of the Association.

14792. What is the membership of the association of which you are Chairman?—It is about 250—between 200 and 250, I think.

14793. Are you in favour of a competitive examination or do you want competition combined with nomination?—I think so far as it concerns Englishmen, the recruitment should be by open competitive examination as it is now; and as regards Indians, I think a certain amount of selection and nomination should be arranged for.

14794. You would have a nominative system for Indians?—Yes.

14795. Before going up for competition?—I think so, before sending them home to be trained.

14796. You would have open competition for Europeans as at present?—Yes, as at present.

14797. What kind of machinery would you set up for selecting Indians?—There might be a Government committee formed or something of the kind; but I have not thought out details yet.

14798. Is it to be a board of Indians or of Englishmen, or a mixed one?—A mixed one.

14799. Why do you suggest that there should be selection for Indians and not selection for Europeans?—Because I think in India it is very important to get certain classes into the Government employment, and probably those very classes that are most desirable may not be able to meet others in the open competition. I mean, for instance, the landed classes; they would not have so good a chance as the professional classes.

14800. But I take it that your system of nomination will be combined with an examination?—Yes.

14801. Or are you suggesting a system of nomination of Indians without a competitive examination?—I am assuming that the candidates would be selected and sent up for the examination.

14802. Sent up to the open examination?—Yes, to the open examination.

14803. So that, after they have been nominated, they will have to appear for the open competitive examination?—Yes; but they will be specially educated for it.

14804. You will send them to England for training first?—Yes, after they have been tested by other examinations here.

14805. You also say that the present proportion of Europeans, especially in the higher appointments, should in no circumstances be reduced. Do you suggest by that phrase that in no circumstances should the proportion of Indians be increased?—No, not necessarily; certainly not.

14806. How could you bring that about?—I take it that the service is constantly increasing, and I think they should have certain facilities for getting in; but I think the control should be in European hands—anything that affects control.

14807. You think that if fresh posts are wanted, they should be filled by Indians?—Yes.

14808. Would you increase the cadre?—Yes.

14809. With an increase of the cadre you will have further openings for Indians?—Yes.

14810. Then you speak of the already diminishing number of English candidates for Indian Civil Service. To what extent are those numbers falling off from what they were previously?—I have no absolute personal knowledge of it except what I hear people talking about and what I see in the papers—that less candidates go up for the examination now-a-days than used to 20 years ago.

14811. You mean that the service is not so popular as it was in years gone by?—I think not.

14812. Could you give any reasons for this?—I do not think it is as attractive, relatively attractive, as it used to be, compared with other careers.

14813. You think that other services have become more attractive?—I think so; yes.

14814. They are attracting more candidates than the Indian Civil Service?—I do not think there is the same competition now to get in, as there used to be 20 years ago.

14815. Then I think you say you are in favour of a higher scale of payment?—Yes.

14816. You say that the rate of living has gone up a great deal. Do you find this to be the case in out-of-the-way districts?—It has gone up a great deal recently, especially during the last 10 years.

14817. The value of land has gone up?—Yes, the value of land and of commodities.

14818. Machinery and equipment?—Yes, everything has gone up.

14819. There has been a corresponding increase in salaries and wages?—Yes, considerable

14820. On your plantations?—Yes.

14821. Would you say that the increase in wages and salaries on the plantations has kept pace with the increased cost of living?—I think it has just about.

14822. So that, on the whole, those who are employed on plantations are satisfied and have not much to grumble about?—No.

14823. For how many years have you been doing plantation work?—I have been out 24 years.

14824. What do you say has been the average increase in the wages and salaries during the last 10 years?—From 10 to 15 per cent. at least, I think.

14825. All round?—I think it has been 25 per cent. since I came out to this country—during the last 20 years, anyhow.

14826. I suppose the prices of provisions and commodities have gone up accordingly?—They fluctuate.

14827. Do you employ Europeans on your plantations?—Yes, very largely.

14828. What positions do they occupy?—The manager, he has several assistants under him, according to the size of the estate—European assistants. Then he also has Indian assistants and clerks and all that sort of thing.

14829. How many Indians approximately do you have on your plantations?—What class of Indians do you refer to: is it the office ones?

14830. No, the men who are employed on the plantations?—About 30.

14831. Would the men who supervise them be Europeans or Indians?—Europeans mostly.

14832. Have you ever tried having an Indian in that position?—They are often in positions of supervising men under them; sometimes we have an Indian in charge, with considerable responsibility.

14833. That is what I want to get from you. To what extent do you repose confidence and responsibility in the hands of Indians in the ordinary daily work of your plantations?—They are able to look after several hundreds of people; but when it comes to anything bigger than that, you have to have European supervision.

14834. But still they do look after several hundreds of people?—Yes.

14835. You find them satisfactory?—Some are. They vary a great deal.

14836. Take the average: is that good?—Yes.

14837. Would the men you promote be such as have worked their way up in the business or would they be newly introduced?—They would be men who have worked their way up.

14838. They would have been of middle age by that time?—Yes, generally.

14839. Do you employ many Indians in the clerical branch of your business?—It is done almost entirely by them.

14840. You find them satisfactory?—Quite.

14841. You place them in positions of trust?—Oh! yes.

14842. (*Sir Murray Hammick.*) I should like to know more about your estate. I take it first of all you have a large number of coolies actually cultivating your estate?—Yes.

14843. How many of these men have you under you: of course they vary?—About 9,000 on the estates I supervise.

14844. Those 9,000 are divided into parties, working on the various estates. I suppose over each party, there is a maistry?—Yes.

14845. The maistry was originally a cooly himself and has risen to that position?—Yes.

14846. Over your maistries, whom do you have?—There is generally one of those who is the headman; and again after that come the managers and the assistants.

14847. And they are Europeans?—Yes.

14848. So that you have about 30 of these?—We have about 19 Europeans and 30 Indians.

14849. In superior ranks?—Yes.

14850. Then, besides that, you have a good deal of machinery, I suppose, in the factory?—Yes.

14851. And in your factories how many labourers do you employ—about?—Each factory takes about—it depends upon the size entirely—anything from 50 to 100.

14852. Have you a European foreman in charge of these factories?—Not all.

14853. Sometimes an Indian foreman and sometimes a European?—Yes.

14854. How many of these European skilled artisans in charge of the factories have you got?—There is always a Babu in charge of every factory; the man who manufactures the tea.

14855. He is an Indian?—Yes.

14856. Does he look after the machinery?—No, we have a European Engineer.

14857. And then, besides that, you have a number of large establishments of clerks?—Yes.

14858. To keep the accounts of the estate; to keep the books?—Yes.

14859. And they are all Indians, I suppose?—Nearly all.

14860. Is the head of these a European?—No, as a rule the headman in the office is generally an Indian.

14861. He deals directly with you?—With the manager.

14862. Of each estate?—Yes.

14863. How many estates have you got?—Five.

14864. The labour you employ; is it foreign labour or is it locally recruited?—It is all imported.

14865. From what parts of the world?—It comes from Chota Nagpur, Sonthal Parganas, or Nepal—these are the principal places.

14866. Have you found that you have been able to reduce your European staff during the last 25 years? I suppose your estates have increased—have you been able to reduce the proportion of European staff or is it as large as it was before, when you arrived in the country?—It is just as large, if not larger.

14867. Of course, the estates have grown?—Yes.

14868. I mean relatively you do not find a proportionate increase of the European staff?—No.

14869. Are you in the Darjeeling district?—No.

14870. What district are you in?—In Jalpaiguri district.

14871. Is the Collector of the district always a European?—Yes.

14872. You have never had an Indian Collector?—No.

14873. Is the Judge European?—Yes; I think he is now.

14874. (*Sir Valentine Chirol.*) There is no real analogy between the work done by any Indians that you employ and the work that is done by Indian civilians or the Indian members of the Provincial Service, is there?—No, not at all, not the kind of work.

14875. (*Mr. Abdur Rahim.*) Can you tell me how the scales of pay on the plantations compare with the scales of pay in the Indian Civil Service?—Which do you refer to; is it the Civil Service.

14876. Europeans?—I should think that the scale of pay is higher in the Indian Civil Service than it is with us.

14877. Very much higher?—It is not a great deal higher.

14878. What is the highest pay you give?—You see the manager of a tea estate gets commission on profits and this varies according to time, good or bad: some of them rise very high.

14879. What do they begin on?—They are generally imported from home at Rs. 175 a month.

14880. Do you know that an Indian Civil Servant begins on Rs. 400 a month?—Yes; but these people have other things as well.

14881. Do you give them any pensions at the end of their service?—No.

14882. No pensions at all?—No.

14883. Have you any furloughs or leaves?—Oh yes.

14884. At what intervals?—After four or five years they go home

14885. For how long?—For about eight months, as a rule.

14886. In plantations you have to lead more or less isolated lives?—No, not in all.

14887. Not in all, but there are some gardens like that?—There are some.

14888. And many of the tea-gardens are in very unhealthy districts?—Some are.

14889. I suppose it is only Europeans, men trained in England, who are in charge of the machinery?—Nearly all of them have been trained in England.

14890. There is no means of training anybody here?—I believe there are some, but I do not think I have come across any of them; they are very few.

14891. I suppose if you had Indians with a similar training you would not mind employing them?—We have employed them.

14892 You have had men like that?—Yes.

14893. Are not there some gardens which are owned by Indians.—Oh yes.

14894. Who are the managers there?—Indians, as a rule.

14895. Are any of those gardens in a flourishing condition?—Oh yes, a great many of them.

14896. (*Mr Macdonald.*) I think you said in reply to Sir Murray Hammick that the Judge now is a European in your district?—Yes.

14897. Did you mean by that, you had Indian Judges before?—It occurred to me that there might have been, but I am not aware of any.

14898. (*Mr. Sly.*) You have stated that the salary on which you recruit Europeans is Rs. 175 a month?—Yes, that is the rate at which we import them.

14899. But will you tell us what advantages they get in addition to the salary of Rs. 175?—Yes.

14900. Free house?—Yes.

14901. Some servants?—Free servants.

14902. Free medical attendance?—Yes.

14903. Free horses?—The pay includes horses.

14904. They will have to pay for their horses?—Yes.

14905. Lighting and fuel?—Yes, lighting and fuel, for the most part.

14906. Free?—Yes, free.

14907. Any free provisions?—No, except free vegetables.

14908. (*Mr. Chaubol.*) In answer to a question from Sir Murray Hammick you have said that in your district the Collector and Sessions Judge have always been Europeans?—Yes.

14909. It is not as if an Indian member of the Civil Service has been tried as Collector or Sessions Judge at any time and that system of appointment was given up, or is it only as a fact that no Indian civilian has served there up to this date?—Not as a Deputy Commissioner—I could not be sure about a Judge. I do not come in contact with Judges very much.

14910. You cannot say that the Government have settled to always employ Europeans there, because they have tried an Indian and found him not to succeed?—That I cannot say.

14911. There are large numbers of Europeans in your district; your district is inhabited by more Europeans than any other district?—Yes.

14912. They are a law-abiding class, are they not?—Yes.

14913. You would not expect them to be otherwise, if, at the head of the administration, they found an Indian I. C. S. instead of a European I. C. S.?—I don't think they would like it: which do you refer to—do you refer to the Europeans?

14914. I refer to the Europeans?—No.

14915. (*Sir Theodore Morison.*) At what age do you bring out these English assistants whom you pay Rs. 175?—Their average might be 22; some of them come out a little younger.

14916. Do you bring any of them out at the age of 25?—Oh yes, sometimes.

14917. (*Lord Ronaldshay.*) I would ask only one question. I would like to ask you why you say that if simultaneous examinations were instituted in this country they would tend to discourage Europeans from competing: I just want to know why you think that would tend to discourage Europeans from competing?—Because there will be a flood of Indian candidates, I think, if the examination were held out here.

14918. Do you mean to say that you think the Indian candidates will beat the English candidates in large numbers?—If the entries are very much more, then it stands to reason that probably those who would pass would be more, would they not?

14919. You simply put it on this ground. Had you anything like this in your mind when you wrote that—that you were not for instance thinking that Europeans might object to serve under Indian gentlemen in superior posts? Had you anything of that kind in your mind?—Of course there is that feeling too.

14920. Do you think that the feeling does exist, to a certain extent?—Yes.

14921. (*Mr. Mukherji.*) You said that in Jalpaiguri district there are a number of gardens managed entirely by Indians?—Yes.

14922. They do well?—Yes.

14923. Looking at the excellent dividends they give, they are working successfully?—Yes.

(The witness withdrew.)

ABDUL MAJID, Esq., District and Sessions Judge, Rajshahi.

Written answers relating to the Indian Civil Service.

14924. (7) What is your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—The competitive examination may continue to be held as now at London. It need not be held at any other place at present, that is, until there is a larger solidarity among the various peoples of India. A certain proportion of the men required to fill the scheduled posts reserved for members of the Indian Civil Service may be recruited by means of the competitive examination.

14925. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—In reply to question (7), I proposed that a certain proportion of the men required to hold the scheduled appointments might be recruited by means of the competitive examination.

(*a*) The remaining proportion may be recruited by selection to be made from among officers of approved merit and ability, belonging to the Service known as the Provincial Service. (*b*) The officers should be selected when they are young, for example, before they have completed the seventh year of their service. The point to be borne in mind is that officers are selected after the Government have had a sufficient opportunity of judging as to their intelligence, character, level-headedness, steadiness and freedom from prejudices against or hostility to any particular community, and that they are selected when they are young, so that they can easily mould themselves to the ideas and traditions of the higher service and gain benefit by travel. The officers selected so far as their academic qualifications are concerned must be graduates of a university. (*c*) If such officers had never gone to Europe, they should be sent to England for training for two years. (*d*) If they return with satisfactory report, they should be confirmed. If not, they should be required to revert to their former posts. The process of weeding out the inefficient may be strictly carried into effect. (*e*) Once the selected officers are confirmed, they should be regarded as members of the Indian Civil Service, without any distinction between them and the other members of such Service recruited by open competitive examination, *e.g.*, in respect of pay, status, leave, pensions, etc. They should not then be described any longer as members of the Provincial Service. (*f*) The selection should be made by the highest authorities of the province, *e.g.*, by His Excellency the Governor and the Executive Members of his Council in Bengal, specially after the probable candidates are personally interviewed at such a meeting. (*g*) In making the selection, the object which is to be kept in view is that efficient officers are selected, and that they are so selected that all classes and communities are represented. Without such a representation, there will be discontent among the classes and the communities which are unrepresented; while with such a representation, they will feel contented and honoured; in matters of crisis, Government will be able to consider questions sympathetically, having before it the views of those communities through their members in the Service. I advocate the representation of the several communities on these grounds and on the ground for which Indians seek to have a fair share in the Indian Civil Service. To have a Muhammadan with pronounced views and feelings against Hindus or a Hindu with such feelings and views against Muhammadans would be a source of weakness to the State. The object of resorting to selection is to obviate the possibility of having such people recruited and to secure as our officers a desirable class of persons who are decidedly Indian and British Indian.* The persons of the undesirable type referred to above will get rare, as the people make progress in real education, and will be rarer among those who have travelled extensively and mixed freely with the people of other communities. It is when these conditions are realized that we may have all the appointments thrown open solely to the competitive test. The method of recruitment adopted in regard to the Judicial branch of the Provincial Service in Bengal is that by selection; and it does not seem to have evoked any adverse criticism. Again, the officers of the mixed commission in Assam recruited by selection proved on the average successful.

14926. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The system of selection which I recommend is in lieu of the present system of promoting to listed posts officers of the Provincial Civil Services. (*ii*) I would have not only a competitive examination for a portion of the appointments in the Indian Civil Service as in England, but also such examinations in the several provinces of India for a certain proportion of posts in the Provincial Services, as supplementary to the present system of recruitment by selection. The competitive examination has also its special advantage. There seems to be a general impression among the people that a brilliant man may fail to secure nomination, because he does not know any one in high circles or has not had opportunities to attract the favourable notice of the authorities.

14927. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recomend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The age-limits may be so fixed as to attract candidates who have completed a University course or are about to complete it.

14928. (21) Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—Latin and Greek each carry 1,600 marks. Arabic and Sanskrit should each carry the same number of marks. History of India may be included as a subject and 500 (five hundred) marks may be assigned to it.

14929. (28) Do you consider that the old system of appointment of "statutory civilians" under the Statute of 1870 should be revived; and if so, what method of recruitment would you recommend?—The epithet "statutory civilian" is open to comment. Once a man is allowed to hold permanently an appointment in the Indian Civil Service, he should be regarded as a member of that Service. I suggested my method of recruitment in my reply to question (10).

14930. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—If an officer is deemed competent to hold a particular listed post, it may be urged that any other post of the Indian Civil Service cadre should be also open to him, provided that he is competent to hold such a post.

14931. (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) One year. (*b*) The officers, if they are selected in India for admission to the Indian Civil Service in accordance with the suggestion which I made, may be trained for two years in England unless they were educated in that country. (*c*) They may be required to join one of the Inns of Court and attend the lectures arranged for by them and the law courts, and also study the working of the different branches of Government, for example, those relating to finance, taxation, excise, education, municipal government, etc.

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* Witness withdraws this statement—*vide* Q. 14994.

14932 (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the bar, reading in barristers' chambers or other), and what conditions do you propose?—Study-leave to England may be granted to officers selected for the Judicial branch for a period of nine months or a year so as to attend courts, a barrister's chamber and the lectures on law delivered to the students in London.

The leave which is allowed should be availed of in one period and not in instalments.

A retired Judge of the High Court may be arranged with to supervise the studies, and the students should satisfy him in order to be entitled to draw their leave allowance.

14933. (88) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—(*i*) In Bengal and in the district of Sylhet in Assam, the Munsifs and Sub-Judges are under the District Judges, who are under the High Court, and the Assistant and Joint Magistrates are under the Collectors or Deputy Commissioners who are under the Commissioners. The appeals from the first-class Magistrates' decisions are heard by the Judges. (*ii*) The Magistrates who try cases may also be placed under the Judges, thereby fully separating the executive and judicial functions.

14934. (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance may be allowed to all officers irrespective of nationality or domicile, if they have to remit money to England for the maintenance of their family or the education of their children. It need not be given to those who have not to make such remittance.

14935. (116) Do the present leave rules applicable to statutory civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—In regard to leave and allowance, there should be no differentiation. At any rate, the statutory civilians and the officers of the Provincial Civil Service may be allowed same period of leave and same allowances as are allowed to members of the European Services.

14936. (128) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—No. Such officers as hold the posts of a District Magistrate or District and Sessions Judge may be regarded as entitled to an additional pension of one thousand rupees a year like those enumerated in article 475 of the Civil Service Regulations.

Written answers relating to the Provincial Civil Service.

14937. (1) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—They are generally suitable. The following modifications may be made:—

(*i*) A portion of the appointments may be thrown open to competitive examination, while the other portion may be recruited by nomination as now.

(*ii*) *Paragraph 3, clause* (5) *of the rules.*—Barristers, advocates or pleaders need not be required to actually practise for three years as a condition precedent to their admission. Practice for one or one and a half year should be sufficient.

Clause (6).—For Europeans who are not statutory natives of India, practice for three years may be insisted upon, they not having intimate acquaintance with the people of the country, their languages and ideas, etc.

Clause (7).—When an officer who but for this rule would have obtained promotion on account of seniority is kept back, the reason for not promoting him should be communicated to him. If any remarks adverse to an officer are entered in his character-roll, these should be communicated to him; and, if possible, they should not be entered until an explanation is obtained from him.

(*iii*) *Clause* (9).—After the word "dismissed", the words "removed or have his service dispensed with" may be inserted.

14938. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.—(*i*) Recruitment to be made, a portion by competition and the remaining by nomination. (*ii*) In making selections by nomination, care should be taken to have all classes and communities represented. (*iii*) In order to secure their representation, the questions as to how many appointments should be made by selection and from which communities the officers to be appointed are to be selected should be taken into consideration by Government, either from year to year or at intervals of certain small periods.

14939. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—(*a*) Residents of the province should ordinarily be recruited. (*b*) When it is considered that a particular class should be represented in the Service, if candidates from that class are not available in a particular province, they might be recruited from other provinces.

14940. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—(*i*) In regard to the officers of the Executive branch, I have no remarks to offer at present. (*ii*) In regard to those of the Judicial branch, I should require them to undergo a course of training in accounts and pass a departmental examination on the subject.

14941. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—The post of an Assistant Registrar of the High Court may be thrown open to the Munsifs, subject to the condition that one particular officer should not hold it for more than three years.

14942. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Inefficient officers may be compulsorily retired, after they have had an opportunity to explain away the remarks entered adversely to them.

14943. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—(*i*) Change desirable. (*ii*) The Magistrates who are required to do judicial work should be placed under the District Judges, and the other Executive officers, who do not do judicial work, *e.g.*, Deputy Collectors who have to do work in connection with revenue, excise, income-tax, etc., may be placed under the Collector. (*iii*) Munsifs may be required to do criminal work, and Deputy Magistrates to do civil work, as occasions present themselves.

14944. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. It does not seem to have led to any results appreciated by the members of the Service or by the public.

14945. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—*Judicial Service.*—In Bengal, there should be an increase in the number of appointments of Sub-Judges. The number of Munsifs in the higher grades may be increased by making corresponding reductions in the lower grades. *Executive Service.*—As in the Judicial service, there may be a few appointments carrying pay of Rs. 1,000.

14946. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No. My answer is given in dealing with the Indian Civil Service, question (10).

14947. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—In the matter of leave allowances, there should be no difference between the members of the European Services and those of the Indian Services. All officers holding Gazetted appointments should be governed by the same set of rules regarding leave, irrespective of nationality. If this suggestion is not accepted, at least the same amount of furlough allowances as are given to Europeans out of India should be given to the Indian officers who spend their furloughs in England.

Mr. Abdul Majid called and examined.

14948. (*Chairman.*) You are District and Sessions Judge?—Yes.

14949. How long have you occupied that position?—Since 1906. I was Officiating District and Sessions Judge in 1903, and was confirmed as District and Sessions Judge in 1907.

14950. What other positions did you occupy before that?—Before that, I was Junior Secretary to the Board of Revenue at Dacca, after the formation of the new Province of Eastern Bengal and Assam. Before that, I was Subdivisional Magistrate at Habiganj. Before that, I was placed on special duty in connection with the re-organization of Chaukidari Panchayat in the district of Sylhet. Before that, I was the Subdivisional Magistrate at Habiganj. Before that, I officiated as District and Sessions Judge, Sylhet. Before that, I officiated as Deputy Commissioner of Sylhet. Before that, I was Assistant Secretary to the Chief Commissioner, Assam. Before that, I was an Assistant Commissioner, taken to the Assam Commission. Before that, I was for two years practising at the Bar as an Advocate of the Calcutta High Court. Before that, I was Extra Assistant Commissioner in Assam.

14951. You have given us a comprehensive account of your long and varied career. I see you had a distinguished career at the University. You apparently recommend in your scheme that a certain proportion of the vacancies in the Indian Civil Service should go to candidates recruited by examination in London and a certain proportion to the officers of the Provincial Civil Service?—That is so.

14952. You want to see the listed posts, as they exist at present, extinguished?—That is so.

14953. And the posts incorporated with the Indian Civil Service?—That is so.

14954. What proportion would you fix as between those who enter the Service by examination and those who enter by promotion from the Provincial Service?—Two-thirds by competitive examination and one-third by selection.

14955. One-third from the Provincial Civil Service?—From the Provincial Civil Service. I have got to explain myself. If they are taken to the executive side, I would have them from the executive branch of the Provincial Civil Service; and if they are taken to the judicial side of the Service, I depend also upon selection from among the members of the Judicial branch of the Provincial Service, supplemented, if necessary, from among the members of the Bar.

14956. What grades of the Indian Civil Service will you transfer to the promoted officers of the Provincial Civil Service?—The position which occurs to me is this: an officer when he fills an appointment, whether that of a Judge or a Magistrate, should be regarded as the same, irrespective of the fact whether he belongs to the Provincial Service or the Indian Civil Service.

14957. So that you want to put it in a position of complete equality?—I would put the officers in a position of complete equality, in view of the work that has to be done.

14958. You are not in favour of the proposal of the simultaneous examinations?—I am not against it on principle; but my submission is that it is a question of expediency. I say that the time is not yet ripe for it. I am anxious to see that among Indians we should have a class of men recruited, who would not be a discredit to ourselves. I should have such men as are imbued thoroughly with English or Western ideals just as Europeans are.

14959. What proportion of Europeans you would like to see retained in the Service?—On principle, again on abstract principle, I should like to make no distinction. I should go by that noble principle enunciated in 1833; but for practical purposes, I should avoid the heart-burning or mutual jealousy and let each party interested know how far they should go and what proportion of posts each section would have, until a further revision is deemed necessary by the Government.

14960. What proportion would that be now?—That is two-thirds Europeans; and I should like to see one-third Indians, but I should prefer to begin it with one-fourth as a tentative measure, and I will gradually work up to one-third, subject to further revision if necessary.

14961. For practical purposes you would have three-fourths Europeans and one-fourth Indians?—Yes, one-fourth Indians at present, to be gradually worked up to one-third.

14962. I gather from your answer just now that you lay more stress on looking at these things from a thoroughly practical point of view than confining yourself to any theoretical proposition?—It is so in my proposals.

14963. You quite appreciate the doctrine of a completely open door; but as a practical man, you would waive that, if, by doing so, you will get a fair number of men?—Yes, precisely so.

14964. As regards the Provincial Service, have you been in that Service?—My position is most anomalous. I am the only man in that position in India. I do not know what my position is. After I returned from England, I was appointed Extra Assistant Commissioner in the Province of Assam. The post of Extra Assistant Commissioner is equivalent in Bengal to Deputy Magistrate and Deputy Collector. I held that appointment for a period of three years, and the men with whom I worked at the time were men who, in England, were my contemporaries—the Indian civilians who were with me in the college. I hoped to get an appointment in the higher Service, so I stopped there for three years. When a vacancy occurred in the superior Service, that appointment did not fall to me. So I went up to the Government and said that I had expected the appointment. Of course, the Government were very kind to me and said, "We could not give you that appointment; there is no vacancy now, and we will give you anything you want."

14965. I do not think that will help us. We need not go into all that?—Then I went up to the Calcutta High Court to practise.

14966. What I want to know is whether the position you occupy, that of an Assistant Commissioner, was regarded as included in the Provincial Civil Service or not?—I will be very brief. I was in the Provincial Service from 1892 till 1898. From 1898 till 1906 I was a member of the Assam Commission, which was a European service. Then again from 1906 till now in the History of the gazetted officers of Eastern Bengal and Assam I have been shown among the military officers of the Assam Commission, and in the present history of Bengal I am shown as a member of the Provincial Service. That is my position.

14967. You at last find yourself in the haven of the Provincial Civil Service?—Yes. I am at present in the Provincial Civil Service.

14968. Now, with regard to the Provincial Civil Service, you would recruit that Service, under your scheme, partly by open competition and partly by nomination?—That is so.

14869. You lay stress on nomination, I understand, because of the importance of getting officers to represent the different communities?—Precisely.

14970. You say, if it were left as it is, you would not get that amount of representation for the Muhammadan community that you deem to be necessary?—I would not press the representation of the Muhammadan community only. I want all the classes and communities represented. This is the position I submit, and you will leave it there for the Government to decide it. I would like to have it as a factor before the Government to be considered that all classes and communities ought to have a fair share in the government of the country and should be allowed to participate in it.

14971. The principle of nomination would ensure that?—Yes, the system of selection.

14972. I notice in answer to question (21) you propose that in the open competitive examination for the Indian Civil Service in London you would give the same marks for Arabic and Sanskrit as are given for Latin and Greek?—Yes.

14973. You mean 1,600 marks?—There are two branches.

14974. That is your proposal?—Yes. I should like to see them placed on an equal footing.

14975. In addition to that, you propose to give 500 marks for Indian History?—Precisely, as in this country, the officers will have to serve.

14976. Are you aware that 1,600 given for Latin and Greek includes History as well?—I am asking only 1,200.

14977. You were offering another 500 more for Indian History than for the corresponding languages of Latin and Greek?—Under the scheme now in vogue, a candidate is allowed to select any number of subjects up to 6,000 marks. I would only allow him the option of taking Indian History if he chooses; if an English student wants to take up Indian History, I would let him take it; and if an Indian student wants to take it, I would also allow him to take it.

14978. But the amount of marks you would allow for Sanskrit and Arabic is more, in view of the fact that History is included in 1,600 marks for Latin and Greek; whereas you allow 1,600 for Arabic and Sanskrit *plus* 500 for Indian History, making a total of 2,100 for Sanskrit and Arabic. Would you modify your proposal?—I am not an authority on the subject. I was only placing the matter before you for consideration.

14979. If that is so, you would modify your proposal?—Yes. I will abide by the decision of the authorities on the matter.

14980. In answer to question (116), you say that there ought to be no differentiation in the matter of leave between Indians and Europeans. Don't you think that the conditions in regard to Europeans are somewhat different from those of Indians in regard to the question of leave?—I do. But the Civil Service Regulations has one chapter on the European Service and another chapter on the Indian Service, and when I see them both, I have the temptation to get myself included into the European Service and to belong to that Service, though I should be proud to belong to the Indian Service.

14981. Their country is 6,000 miles away and that would not be applicable to the Indians?—Yes.

14982. That would be a matter of consideration in assessing the leave?—Yes. Another disparity that struck me, if I remember rightly, is that a member of the European Service could avail himself of furlough for six years, whereas a member of the Indian Service is entitled to furlough only for two years.

14983. (*Lord Ronaldshay.*) I understand that you are anxious to see more Indians employed in the Indian Civil Service?—Certainly.

14984. And you think that the best way of achieving your object will be by promoting the fit men from the Provincial Service to the Indian Civil Service?—That is so. I have two doors. In England, by open competition.

14985. You want the open competition in England still to be open to the Indians?—I shall have one open competition for Indians and Europeans.

14986. I quite understand, and I want to be quite clear. Your scheme is for increasing the number of Indians from India itself. I suppose I am right in assuming that, in your opinion, the picked men of the Provincial Service, that is to say, men in the Provincial Service who are at the present time holding listed posts compare favourably with Indians who have gone into the Indian Civil Service through the English door?—They compare favourably. The only observation that occurs to me—and I do not know if it is worth anything—is that men in the Indian Service are taken to higher appointments at an age which is too advanced. For instance, a man is taken to a higher post at a very advanced age when he has either to retire or obtain extension. In order to give him a proper chance, what I consider is that you should take him at an age when he can show his work.

14987. Assuming you take your men from the Provincial Service at a comparatively early age, say after six years' service or something of the kind, do you think that he would be in any way inferior in point of capacity to an Indian who now gets into the Indian Civil Service through the English door?—No provided that you take the safeguard to make him capable of holding his own against others by giving him as good a training as possible in England.

14988. I quite understand it. But the only difficulty which occurs to me in the way of your scheme is this: Would it not be rather an invidious task for the local Government, or whoever does it, to make a selection, to pick these men from the Provincial Civil Service?—That is being done now. Now that the Government as at present constituted is composed of a large number of members, three members and the Governor—I do not know whether my observation is worth anything—I should like to see that the selection of proper officers is a part of their duty. I should like them to regard it as part of their function to find out proper officers and thus by all possible means minimise all the objections that are raised against the system of selection. Even now those who are taken to listed posts are taken by selection. They have now been exercising that power, and I am not asking anything new to be done; I am only asking that it may be done in such a manner that all possible objections should be minimised or remedied.

14989. You are confident that selection could be done in such a way as not to cause dissatisfaction among the bulk of the members of the Provincial Service?—I am confident. I mean that if the man who is selected is fairly selected, the others ought to take the defeat, recognize the selection and bow to it. This is the spirit I should like to see prevail in the Service.

14990. (*Sir Theodore Morison.*) To continue that subject. You propose selection under seven years of service?—That is so.

14991. What opportunities has the man got for distinguishing himself during that period?—The idea is that he will be employed either in civil duties or in magisterial duties or any other executive functions. In the course of that time the officer whom he has to serve under will surely, to my mind, have sufficient opportunity to judge of the calibre or the capacity of the man. And further his own work is there. The record of what he has done and the manner in which he has done his work would be a sufficient gauge of the man's capacity. If you look into the records of the cases which he has disposed of and the reports he has written, and the manner in which his work has been approved by officers under whom he was placed, that will sufficiently enable you to judge of the man.

14992. You think it is possible. But I have understood that a somewhat similar problem in England has a difficulty, in that it creates enormous discontent among a very large number of people over whose heads he is taken. In what grade will you take the man?—It does create. But what I want is that we should get ourselves accustomed to that; to see that the best man is being selected, and those who have not been taken should bow to him.

14993. The difficulty is that they would not think that he is much better than themselves quite honestly; and it is very rare that a young fellow of six years' service should so distinguish himself that a man of 20 years' service should say, "You are much better than me?"—Then the point is that the people will get accustomed to it; the men in the Service will come to know it. I wish to make this rule: but this rule should not affect the men in the Service, and should affect only future Indians. This system will attract a better type of men and will give scope for subjecting themselves to a better selection.

14994. In regard to your answer to question (10) in sub-clause (*g*) you say "The persons of undesirable type will get rare as the people make progress in real education"?—That is an observation which I will have to omit. It is really no part of the answer to the question. I wrote that in a hurry and I should like to have it omitted. It is a matter of mere comment.

14995. I want to know whether you think that the spread of education has really helped to reduce the hostility between different communities?—I think so.

14996. Has it?—A man who has got good education and has travelled abroad, I consider him superior.

14997. I want to know whether he has less racial antipathy than another man?—Oh, decidedly so. There are men among whom the Hindu-Muhammadan questions are acute; but in other places, there is no distinction between the races. There is that spirit also rising and it is prevalent, I am glad to say.

14998. I want to know whether that feeling is more prevalent in villages and country places?—I find that in villages perfect amity prevails. In the top again, perfect amity prevails.

14999. Is there any education among those villages?—That is a matter with which you are yourself familiar, and I need not say anything. I have been also Chairman of a Local Board and I have had the opportunity of travelling from village to village and I had also to do magisterial work, settling disputes among raiyats. I say that the villagers who have had no education were friendly—those who had little education were friendly; and men who have had very good education were very friendly. But there are differences among people who have got some education.

15000. (*Mr. Chaubal.*) In your answer to question (10) you say "the method of recruitment adopted in regard to the judicial branch of the Provincial Service in Bengal is that by selection; and it does not seem to have evoked any adverse criticism." We have a fairly large body of evidence put before us which goes to show that the recruitment for the Provincial Service should rather be by competition than by selection?—The idea underlying my suggestion is that I want to have the best men. I would have all possible methods available for getting the best man. Competition and selection I would have

15001. That is why I am telling you that we have before us, both here and in other places, a fairly large body of opinion of the people who say that the principle of selection has not worked well and that, therefore, the recruitment for the Provincial Service should be by competition. Are you aware of that feeling?—I have seen general remarks of that character made in certain papers But I have not seen any such criticism applied to the selection made in Bengal.

15002. Then, in answer to question (12) you say "The system of selection which I recommend is in lieu of—." I take that to mean that you recommend selection?—Selection of a portion of officers.

15003. You say "The system of selection which I recommend is in lieu of the present system of promoting to listed posts officers of the Provincial Service." May I know what the present system of recruitment for the listed posts is?—I say, subject of course to correction, that the facts will be found in the Secretariat papers furnished to you. What I say is that men there are, Deputy Magistrates and Deputy Collectors on one side and Munsifs and Subordinate Judges on the other. They want a Magistrate and Collector; they select one out of them and put him to what is called the listed post, which I fail really to comprehend in spirit; and then he is given two-thirds pay.

15004. You are answering about the system and you say that the system of selection which you recommend is in lieu of the present system of promotion to listed posts. That shows therefore that the two things are different?—In my scheme I have no listed posts.

15005. Does it or does it not imply that the two systems are different. You have one system of selection which you recommend as distinct from that which is at present in vogue—the system of promotion?—If I may be permitted to explain myself, I may say that this answer is not so happily worded as it might have been;

but in considering this answer, it must be borne in mind that, in my scheme, there will be no listed appointments.

15006. Answer my one question straight. Is the present system of recruitment for the listed posts one of selection or not?—That is so.

15007. In the second part of your answer to question (88), you say "The Magistrates who try cases may also be placed under the Judges, thereby fully separating the executive and the judicial functions." So, am I to understand from that, that you recommend the separation of the executive and judicial functions so far as Magistrates are concerned?—That is so.

15008. And you are inclined to express that opinion because you see certain disadvantages under the present system under which both the functions are carried on by one and the same individual?—That is so.

15009. Will you give the Commission some idea as to the nature of the disadvantages? —I mean it is generally expressed in that pithy sentence—the prosecutor should not be the Judge That is to say, that a man who is interested in the result of a certain prosecution in a certain way, should not have it in his power to punish or reprimand anyone who happens to arrive at a decision adverse to his.

15010. Would you have any objection to carry the same principle into the higher posts? —That is to say—?

15011. Divisional Magistrates and District Magistrates?—I am speaking of them, and my remarks apply to them and not to anybody else.

15012. You have no objection to the separation of the executive and judicial functions in these higher officers?—That is exactly what I have been asking for. But there is only one modification I should like to make to that broad remark.

15013. You do not apprehend that the administrative work of the Collector will, in any way, be prejudiced on account of his not having magisterial powers?—I should think not. I say that from experience. I have been a Deputy Commissioner and I have been also a Subdivisional Magistrate in a place where a Munsif—.

15014. Because you have done that, I want your answer. You say that it will not suffer?—That is so exactly. There is one point which I should like to mention in order to make my answer complete. I would like to make it subject to one modification—except in places where the work is very light and people do not ask for separation and the cost will be very heavy. In such cases, I wish to make an exception: say, Naga Hills District and Garo Hills District.

15015. I think we will proceed much better if you will confine yourself to my question. The District Magistrate and the Collector now perform certain magisterial, executive and administrative functions; and my question to you is that, if you take away from him, as a matter of principle, magisterial powers, do you think that his executive administration is likely, in any way, to be less efficient because he has not got magisterial powers?—To my mind, if a proper man is the Judge, if a proper man is the Collector, if the man who is selected as the best Judge is of the right calibre and right stamp, and if the man who is selected as the Collector is of the right sort, there ought to be no objection.

15016. In your answer on the same page as regards the Provincial Service, you say that you recommend even against the rules that the period of actual practice at the Bar instead of being three years should be reduced to one year and a half?—I do.

15017. I should like to know whether I am right in supposing that, as a matter of fact, there is not much practice enjoyed by young men during the first three years?—Ordinarily that is so.

15018. Is it, or is it not a fact that a young man, who has just passed his examination and goes to the Bar, does not get any practice worth speaking in the first three years?—That depends upon the man; that depends upon his relations; and that depends upon the district in which he is.

15019. We are now speaking generally. Do you think, generally speaking, that a young man, after he joins the Bar, gets any considerable practice in the first three years?—Generally not.

15020. May I know your object in reducing the period to one year and-a-half?—My idea—it may rest on imagination or it may be a mere inference—is that, in the first year he reads law and follows cases, but in the second and the third years I do not see him sitting on the Bench, but spends a lot of his time at the Bar Library in talking to friends. This is what I hear.

15021. One of your recommendations is that a Deputy Magistrate should do civil work as occasions present themselves?—Yes.

15022. Do you think that Deputy Magistrates have any legal training in civil law? Your answer to question (18) is "Munsifs may be required to do criminal work and Deputy Magistrates to do civil work as occasions present themselves"?—That is so.

15023. What I wish to know is, have Deputy Magistrates the training in law to enable them to dispose of civil work satisfactorily?—I myself did both kinds of work. When I first joined service, I did the work of a Munsif as well as that of a Deputy Magistrate. I have seen also other men doing work like me.

15024. That is after your Bar examination?—Yes.

15025. Do you follow my question? I am not speaking of those who have gone through a regular training in law, but I am speaking of a Deputy Magistrate who by himself is not a lawyer. I want to know why in your scheme you recommend Deputy Magistrates to do civil work? Have they the necessary training to do civil work? Do I understand that by 'civil work' you mean 'Munsif's work'?—This is my idea; provided they are lawyers or have had legal training, I would require them to do it. According to my scheme, the Magistrate would be a lawyer and the Munsif would be a lawyer, and I would like one man to do the duties of the other. I am referring to the scheme which I have the honour to present.

15026. (*Mr. Gokhale.*) In reply to a question from Lord Ronaldshay you said that the only way in which you would admit Indians into the Indian Civil Service in addition to their passing through the English door was by selection from the Provincial Service. But your scheme here contemplates three ways. So, which is really your view? The scheme here contemplates the admission through the English door, a certain proportion to be thrown open for competition in this country and selection and promotion from the Provincial Service. Isn't that your scheme?—My scheme is not three ways but two ways as understood by His Lordship.

15027. Kindly turn to your answers to questions (7) and (10), more especially question (10) you say "In reply to question (7), I proposed that a certain proportion of the men required to hold scheduled appointments might be recruited by means of the competitive examination." Do you mean to say that is the London competitive examination?—That requires one word more, viz , London.

15028. In your answer to question (7) you say "The competitive examination may continue to be held as now at London. It need not be held at any other place at present, that is, until there is a larger solidarity among the various peoples of India." That is the London competitive examination?—Yes.

15029. So, you really have only two methods?—When I refer to these posts as reserved, I am trying to use the language of the statute.

15030. Mr. Chaubal asked you about the difference between your method of selection and the present method of selection for the listed posts, and I am afraid you did not catch his question. Is not the difference this, that under your scheme young men will be taken up from the Provincial Civil Service, put through a special training and then put into the Indian Civil Service on terms of equality with the men who are there?—Precisely.

15031. Whereas now men are taken from the Provincial Service at a comparatively late age and appointed only to individual posts, and there is a great difference between the two?—Undoubtedly.

15032. There is only one more question I would like to ask. You say that you would not have a simultaneous examination—that is what it means?—Exactly.

15033. You say that it need not be held at present, that is, "until there is a larger solidarity among the various peoples of India." That means that your objection to that system is that, owing to differences among the different sections of the Indian community, there would be complications arising if simultaneous examinations were held to-day?—That is so.

15034. As these differences grow less and less, your objection to the simultaneous examination will also grow correspondingly less?—That is what I have stated to His Lordship.

15035. I only want your opinion?—It is exactly so.

15036. This objection is not the same as though you objected to the simultaneous examinations, because thereby the Service would be swamped by Indians?—No. There is one point that I want to be quite clear upon. That is why I said also—.

15037. I was referring to your reply to question (7)?—Yes.

15038. You say there that there is not enough solidarity among the various sections of the Indian community, and therefore you will postpone simultaneous examinations till greater solidarity is established?—That is so. In the term 'Peoples of India' I also meant to include Europeans as well.

15039. By greater solidarity you mean solidarity between Europeans and Indians also?—Yes. Solidarity between Europeans and Indians, and among the different section of the Indian community.

15040. I do not wish to press you, but I cannot get at your meaning. You say larger solidarity, but among whom is it to be? You say it must be first of all between Englishmen and Indians, and next among the different sections of the Indian community. If so, I will leave the question there?—Yes. That is so.

15041. When that is reached, then you would have no objection to a simultaneous examination?—I should then welcome it.

15042. (*Mr. Sly.*) You propose that certain officers of the Provincial Civil Service, after special training, should be promoted into the Indian Civil Service, do not you?—That is so.

15043. In regard to that scheme, the question I wish to ask you is whether you think that the officers of the Provincial Civil Service so promoted into the Indian Civil Service would or would not be treated in every respect as equal members of the latter Service?—It will depend upon the two men—upon the superior officer under whom you place the man and also upon the subordinate officer who has to deal with the superior officer, It depends upon the personality of the two persons.

15044. Objection has been raised to a scheme somewhat similar to yours that, if admission is made by a separate door, such as promotion from the Provincial Civil Service, those officers will always bear what is termed the badge of inferiority and will not, on account of that, be equally efficient in the discharge of their duties. Do you believe that or not?—I should say that it is a matter of pure opinion. The man who is against the system will certainly say so; but the man who is friendly to the new system will not say so, to my mind. I have experience in Assam. I was the only Indian in the Assam Commission, and I was treated as one of them. I never felt that, in dealing with Englishmen, I was an inferior man, or a man to be in any way despised.

15045. You felt in no way any sense of inferiority?—As regards those under whom I had the privilege of working, I had their kindness and sympathy.

15046. While you were in England in your college career, did you go up for the Indian Civil Service Examination?—No, I was six months too old. The age limit was then nineteen.

15047. (*Mr. Madge.*) Your chief reason for separating the judicial from the executive functions rests on the principles that the prosecutor should not be the Judge. Is it not the case in Bengal that a District officer, though he has the power, usually leaves all criminal cases to be tried either by the Joint or Deputy or Honorary Magistrates?—I know that it is so. But the people always have a suspicion, and they say that when a Deputy Magistrate tries a case in a particular way and he is transferred, the man has got that transfer because he tried the case in that way. I have tried to be careful in such matter. Whenever I as a Magistrate instructed a police officer to initiate a prosecution and the accused was brought before me, I used to tell the person appearing in his behalf, "I am going to send up the case to another Magistrate." I have done that and I have taken, that precaution. When such a precaution is not taken there is always a feeling of suspicion. Whenever such cases came before me, I always thought of the provision in the Criminal Procedure Code that the accused should have no reasonable apprehension that he would not have a fair trial. In order to make our Service as good as possible, I was only making the suggestion, so that our Government officers might not be misunderstood.

15048. Of course, the Privy Council dictum that almost equally important with the purity of our courts was public belief in their purity, means is that the Bench should infuse the public mind with confidence in their purity?—That is it.

15049. How far would you press that principle at the expense of the efficiency of administration?—I call it efficiency.

15050. How far would you press the principle that I have quoted against efficiency in an administration?—My idea of efficiency is that the work should be done impartially and justly, and that people must have confidence in it. I will call that the most efficient form of administration.

15051. That is to say, impartiality on the one hand, and trust on the other?—Both are important factors in the administration.

15052. I think you have admitted that, in your experience as an Executive officer, you gathered valuable practical knowledge?—Valuable or not I cannot say, but I have gathered some knowledge.

15053. You gathered some experience?—I hope I did.

15054. Was it not useful to you in the discharge of your judicial functions?—Undoubtedly.

15055. All that knowledge, the usefulness of which you admit, will be sacrificed in the case of those appointed direct to the Bench without that experience?—The point is that experience may be gathered in so many ways. There is not only one channel in which experience is gained. In my case, experience has been gained in the Service as well as in the profession and I utilise it to make the Government machine as efficient as possible.

15056. You cannot draw a comparison between experience of one kind and an experience of another kind. The experience you get in one way cannot be got in any other way?—Experience gained is experience.

15057. Do you mean to say that the experience gained by an officer who has exercised executive functions is exactly the same in all respects as the experience gained by an officer who has exercised judicial functions?—It is only a question of degree. There is experience and it depends upon the man. In my scheme I greatly depend upon the man. My scheme is to find the best man.

15058. You consider that the question is one of degree, and not of kind?—It is an abstract proposition. Experience is always valuable and it is better to utilise it.

15059. One more question I wish to ask you, and that is with regard to selection. Have you heard of cases in which an officer has been recommended for promotion by one superior after another superior, and when one superior officer goes away and another comes in, he recommends somebody else to the supersession of the man who has been recommended before? Is there not that chance in your Service?—I have seen it stated, generally stated in many papers and in the evidence given before the Commission. I have heard from men who have been in a position to make remarks and from one Inspector-General of Police, an eminent Civilian whom I knew, that it is very difficult to attach importance to confidential documents. One man says one thing and another man says another thing.

15060. Have you got any practical remedy to meet cases of that kind? Can you suggest any way of avoiding it?—I have tried to "meet it in my answer to question (1) on the Provincial Civil Service. When an officer who, but for this rule, would have obtained promotion on account of seniority is kept back, the reason for not promoting him should be communicated to him. If any remarks adverse to an officer are entered in his character-roll, these should be communicated to him, and, if possible, they should not be entered until an explanation is obtained from him."

15061. You think that would correct such accidents as I have referred to?—I think so, because an officer making the remarks will do so carefully, and also the officer affected will also have a chance of explaining himself.

15062. (*Mr. Abdur Rahim.*) You have been for a long time in Assam?—I was for some years in Assam.

15063. And in Assam there are a number of tea gardens?—Yes.

15064. In charge of—?—European managers.

15065. Have you had much to deal with them?—I was Inspector of labourers in my capacity as Subdivisional Magistrate, and I had to inspect tea gardens and to deal with cases between coolies and the managers of tea gardens.

15066. You have had to inspect labourers in the tea gardens?—Yes, I had to.

15067. Did you find much difficulty in dealing with Europeans?—I am pleased to say that among them I have good friends and they expressed regret when I came away. I have had very good relations with them.

15068. As regards your scheme, you say that after about seven years' service officers who have distinguished themselves or proved their ability should be trained in England and drafted into the Service; that is your scheme?—That is so.

15069. That is in addition to the open competition in England?—Yes, precisely.

15070. You have been asked whether seven years would be sufficient time to find out the merits of an officer. What is your experience; is it not your experience whether in the Service or in the profession if a man fails to make his mark in seven years, he never makes his mark at all, generally speaking?—I was taken after six years from the Provincial Service into the higher Service. I had my own case in view. After six years I was taken into the European Service.

15071. You have a number of subordinate officers. Is it not your experience that in six years you are in a position to judge of the capabilities of an officer?—Undoubtedly that is my belief.

15072. One can?—In two years.

15073. In six years an officer would ordinarily be in charge of subdivisions and would do considerable work?—I will first try him at sudder as an assistant, and then send him out to subdivisions.

15074. It has been suggested that your scheme might cause discontent in the Service and the selection might not be properly made. I put it to you as an abstract proposition, is it not one of the inseparable functions of the Government to select its own officers?—That is what I have been submitting.

15075. As I understand it, the basis of your scheme is that the Government, in making the selection, will have a record of his service to proceed upon?—Yes. I would also add one thing. For the Judicial Service I would have selection by three Judges of the High Court. What I have said is in view of the executive side. On the judicial side, His Excellency in Council, the three members of the Council and three Judges of the High Court nominated by the Chief Justice should select.

15076. In reply to a question from Mr. Chaubal you said that in Assam, which is a non-regulation Province, a Magistrate exercises the functions of a Munsif?—They do both the duties in the Assam Valley. In the Surma Valley civil work and criminal work are separate, but in the Assam Valley it is done by the same officer who does both the civil and criminal work. I also worked in that capacity as a Munsif as well as a Magistrate.

15077. (*Mr. Mukherji.*) In your answer to question (24), Provincial Civil Service section, you want to add a grade of Rs. 1,000 to the executive branch?—That is so.

15078. Don't you think there should be more men in the higher grades of Rs. 600, Rs. 700 and Rs. 800 than there are just now?—Certainly, I only wanted to draw attention of the authorities to it.

15079. (*Mr. Sen.*) In answer to question (11), you say "The post of an Assistant Registrar may be thrown open to the Munsifs, subject to the condition that one particular officer should not hold it for more than three years." Don't you think that there should also be the appointment of a Munsif as Personal Assistant to the Judicial Secretary to the Government?—I have no experience of the matter; but if such a post would help the Government and the Service, I should certainly be in favour of it.

15080. A Deputy Magistrate was once appointed as Personal Assistant to the Secretary to the Government in the Judicial Department. Should not one of the Munsifs or Subordinate Judges be appointed to that post?—I have no experience of the Bengal Secretariat. I have had experience of the Assam Secretariat and the Board of Revenue Secretariat. I have no experience of the Bengal Judicial Secretariat.

15081. Should not the post of the Registrar of the Court of Small Causes at Calcutta be open to the Provincial Service?—I should not shut the door against them, provided a good man is available.

15082. Please see your answer to question (18), where you say "Munsifs may be required to do criminal work and Deputy Magistrates to do civil work, as occasions present themselves." Do I understand from this reply of yours that you wish there should be but one Provincial Judicial Service consisting of Munsifs, Subordinate Judges and Deputy Magistrates to be entirely under the administrative control of the High Court and the District and Sessions Judges?—Yes, if the scheme is accepted.

15083. Sometimes a Munsif may be made to do criminal work, and a Deputy Magistrate may be made to do civil work?—Yes.

15084. As one service?—Judicial or trying service should be one—whether trying civil or criminal cases.

15085. Please refer to your answer to question (24). You say that there should be an increase in the number of appointments of Subordinate Judges, but you do not recommend an increase in the number of Munsifs?—I have no objection to increase the number; I should like to see an increase if it could be done.

15086. Don't you think that litigation has been steadily increasing and that the permanent staff of Munsifs and Subordinate Judges requires to be strengthened?—It depends upon the place where the increase is to be made.

15087. As a general rule?—Yes.

15088. You say that the number of Munsifs in the higher grades may be increased by making a corresponding reduction in the lower grades; that is your answer?—Yes.

15089. Is that because there is a heavy block of promotions in the grades of Munsifs?—That is so, because I have heard it said. I have got a pamphlet sent to me the other day, and it is pointed out in that pamphlet that it is not before 48, 49 or 50 that a Munsif rises to be Subordinate Judge. I should certainly like to see an easy flow of promotion.

15090. You say that the number of Munsifs in the higher grades might be increased by reducing the number in the lower grades. Is that because there is a heavy block of promotion in the grades of Munsifs?—Only in order to see that there is an easy flow of promotions.

15091. Don't you think that it is desirable that a time-scale system of promotion should be introduced in order that a Munsif may become a Subordinate Judge before he is 44 or

45 years of age?—I should like to subject it to a further examination before I express an opinion.

15092. In reply to question (30) you say that you do not approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service. Why do you say so? Is it because, in your experience, you have found that it is rather difficult to live in entirely European style with the two-thirds rate of salary?—I find it difficult. I say that from my personal experience, and therefore it is that I have given that answer. European members with whom I have had the honour of serving will also bear me out; they have often told me that.

15093. Because you live in European style I asked you that question. On what salary were you appointed a Judge?—I get two-thirds.

15094. You got Rs. 1,200?—Yes. An Additional Judge, a member of the Indian Civil Service who was working under me, was getting more

15095. Is not the pay of a third grade Judge, when he is a member of the Indian Civil Service, Rs. 2,000?—Yes.

15096. But the pay of a third grade Judgeship when held by a member of the Provincial Judicial Service is only 60 per cent. of the pay of a third grade Judgeship when held by a member of the Indian Civil Service?—Yes.

15097. You are now a second grade Judge?—Yes.

15098. You are getting Rs. 1,600?—Yes.

15099. What is the pay of the second grade Judgeship when held by a member of the Indian Civil Service?—Rs. 2,500.

15100. Is not your pay less than two-thirds of Rs. 2,500?—Yes.

15101. You know that the pay of the third grade Magistrate recruited from the Provincial Service is Rs. 1,000?—Yes.

15102. The pay of the third grade Magistrate, when held by a member of the Indian Civil Service, is Rs. 1,500?—It is all laid down.

15103. I am asking a question, and give me an answer. Is not the pay of the third grade Magistrate recruited from the Provincial Service two-thirds of the pay of the third grade Magistrate recruited from the Indian Civil Service?—Yes.

15104. Is not the pay of a second grade Magistrate appointed from the Provincial Service Rs. 1,200 or exactly two-thirds of Rs. 1,800, which is the pay of a second grade Magistrate appointed from the Indian Civil Service?—Yes.

15105. Then it follows that, when a member of the Provincial Judicial Service holds a listed appointment, his pay is less than two-thirds, while the pay of a Deputy Magistrate, when promoted, is exactly two-thirds of the pay drawn by a member of the Indian Civil Service holding a similar position?—I take it from you.

15106. Is not this an anomaly?—If it is an anomaly, it is.

(The witness withdrew.)

SURENDRANATH BANERJEA, Esq., Editor, *The Bengalee.*

Written answers relating to the Indian Civil Service.

15107. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I do not regard the working of the present system as satisfactory.

15108. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The system is faulty in the sense that it does not afford Indians the facilities for admission to the Covenanted Civil Service to which they are entitled. The last part of the question will be answered in the replies that follow.

15109. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not equally suitable for the admission of Natives of India. I would advocate a system of simultaneous examinations.

15110. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I would advocate a separation If the examinations were different, the open competitive examination for the Indian Civil Service could be specialized with particular reference to the needs of India. Further, I understand, the best candidates do not always select the Indian Civil Service.

15111. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I do not consider the present system to be satisfactory in principle, because it fails to do justice to the legitimate claims of the people of India to employment in the highest service of the country. The alternative I propose is simultaneous examinations in India and in England.

15112. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am entirely in favour of a system of simultaneous examinations in India and in England, open in both cases to al natural-born subjects of His Majesty.

15113. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each Province or group of Provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not favour the scheme suggested in the question.

15114. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I am not in favour of the part recruitment of the Indian Civil Service by Natives of India in India. There should be the same examination held simultaneously in England and in India, and a common list drawn up and the highest in the list should be selected to fill the number of appointments required.

15115. (11) Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I propose that the judicial branch of the Indian Civil Service should be largely recruited from among professional lawyers. For the present I would recommend that half the appointments in the judicial branch should be so recruited, the other half being filled by members of the Civil Service and by promotion from the judicial branch of the Provincial Service. Civilians who are to take up these appointments should be drafted to the judicial branch early, say two or three years after they have joined the service.

15116. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am not satisfied with the definition of "Natives of India" as given in the section referred to above. A person of unmixed European descent should not be regarded as a Native of India.

15117. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I would recommend 21 and 22 as the age-limit instead of 22 and 23, which is the present limit, my reason being that an unsuccessful candidate at the age of 23 (and the majority of candidates are unsuccessful) must feel some difficulty in selecting a profession.

15118. (14) What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-three or 24 would be the most suitable age. I would fix two years as the period of probation after passing the open competitive examination.

15119. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—Twenty-one and 22 are the age-limits which would best suit Indian candidates for the reasons which I have already submitted and which are applicable to English candidates as well. I would make no difference between the age-limits of Indian and other candidates.

15120. (16) What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would assign the same marks to the Eastern classics (Sanskrit and Arabic) as are or may be fixed for the Western classics (Latin and Greek). I would exclude Persian and perhaps Pali among the subjects of examination and assign to them the same marks as are given to French or Italian. I would exclude Indian History on the syllabus and place it upon the same footing with English History. Further, in the papers on Greek and Roman History no knowledge of Greek or Latin should be required on the part of the candidate.

15121. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I do not think that any differentiation in the subjects is desirable between Indian and other candidates.

15122. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—I do not think that any posts should be so reserved. It should be left to the Government to decide who should fill what posts according to the exigencies of the service and their knowledge of the fitness of the persons to be employed.

15123. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I would answer the above question in the negative. To reserve a minimum or any proportion of appointments on the basis of race would be contrary to the Queen's Proclamation and the accepted policy of the Government.

15124. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?—I consider the principle as satisfactory, but the limitations imposed in practice are unsatisfactory.

15125. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I think the system should be revived, for even if simultaneous examinations were held, it would be many years before Indians can expect to have an adequate share of the higher appointments. The method of recruitment should be by competition supplemented by promotion in selected cases on the ground of merit and ability.

15126. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I would certainly not advise the introduction of the system in Bengal. In the newly-constituted Province of Bengal we have non-regulation districts but no military officers in charge of them.

15127. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—It is a step in the right direction.

15128. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—I am not.

15129. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—It is a good system giving the members of the Provincial Service an opportunity of serving in the higher posts. It adds to the prestige of the Provincial Service.

15130. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—In Bengal the listed appointments are confined to District Judgeships and Magistracies. There is no reason why they should not be extended to such offices as Secretary to the Board of Revenue and Under-Secretary to Government.

15131. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes, certainly.

15132. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation should be at least for two years. Indian History, Indian Languages (Modern and Classical), Political Science, Political Economy, English Constitutional History, English Local Government and Parliamentary Institutions should be included among the subjects of study.

15133. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I am not very much in favour of any differentiation, but special attention should be paid to the mastering of the Indian languages by probationers other than Indians.

15134. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The probationers' course of instruction should be spent in England, and this applies both to English and Indian candidates.

15135. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I do not think it desirable to start a college in India for the training of probationers.

15136. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The answer given to the last question covers this.

15137. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—There has been, I think, a distinct deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. This is due partly to the pressure of work and partly to their being in a condition of isolation from the Indian community.

15138. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch?—As regards Indian Civilians taking up the judicial branch of the service they should be required to make their choice early, say two or three years after they have entered the service; and when they have made their choice, they should do judicial work only and take up civil as well as criminal cases

15139. (38) Do you recommend any special course of study in law in India for officers selected for the judicial branch?—It is not so much a study of law that is required as practical familiarity with the civil branch of judicial work. After all a mastery of law is best acquired in the practice of law.

15140. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—Members of the Civil Service taking up the judicial branch should be required to take up petty civil cases and do the work of Munsifs. This was done in Bengal many years ago, but for some reason or other it was given up.

15141. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think that any differentiation is necessary except perhaps in the matter of acquiring a familiarity on the part of English civilians with the Indian languages.

15142. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The system of probation followed as at present in the case of members of the Provincial Civil Service (executive branch) seems to me to be sufficient.

15143. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—My reply to question (31) covers this.

15144. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I think the exchange compensation allowance should be abolished. The abolition should be restricted to future entrants. If the abolition is to affect future entrants, no conditions are necessary.

15145. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I do not recommend abolition with compensation in the form of increased salaries. It is to be abolition without any compensation or increase of salary. Such abolition cannot be felt as a grievance if restricted to future entrants after due notice.

15146. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—There is a question of dignity and prestige involved in the question of salary. Indian Judges of the High Court and Indian members of the Executive Council draw the same salaries as their European colleagues. I would have the same uniform pay fixed for the appointments whether held by Covenanted Civilians or Statutory Civilians or officers of the Provincial Service, and would give to members of the Covenanted Civil Service, when they hold these appointments, a foreign service allowance as compensation for loss of pay.

Written answers relating to the Provincial Civil Service.

15147. (51) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Formerly recruitment to the Provincial Service in Bengal used to be made by a competitive examination. The competitive examination has now been abolished, and a certain standard of qualification is all that is required. The competitive test should be re-established.

15148. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—My reply to the last question covers this.

15149. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Ordinarily it should be so. But the interests of efficiency may require a departure from this rule, and it may be necessary to employ in the Provincial Service persons other than natives of the Province or even those not habitually residing in it.

15150. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—The two most important communities in Bengal are the Hindu and Muhammadan. They should be adequately represented in the Provincial Service consistently with its efficiency. The Muhammadan community is rapidly coming to the front in the matter of education.

15151. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I have not heard any complaints.

15152. (56) Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.—I have heard complaints about the inadequacy of officers in the judicial branch of the Provincial Service of Bengal and the hard work which in consequence Munsifs and Subordinate Judges have to go through. I am not in a position, however, to support this view by facts and figures; I give the information for what it is worth.

15153. (57) To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—Our Civil Judges (Munsifs and Subordinate Judges) perform no sort of executive work except what is involved in the control of their own offices. Our Magistrates, however, who try criminal cases, perform executive functions. The Magistrate of the district is a revenue officer and does important executive work, besides trying criminal cases. Many Deputy Magistrates are in the same position. There ought to be a complete separation of judicial and executive functions in the administration of criminal justice. Those trying criminal cases should be relieved of all executive work and placed under the control of the High Court which should, as in the case of Munsifs and Subordinate Judges, determine their promotion, transfer, etc.

15154. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I would prefer the old expression "Uncovenanted Service." Certain associations have gathered round the term, and in some departments of the Public Service, notably in the Department of Education, the Provincial Service has operated as a bar to the promotion of meritorious Indians to the higher service. I need here only instance the case of Dr. P. C. Ray, a chemist of worldwide ability, who has been for years together in the Provincial Service though his claims to the higher service are admitted.

15155. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept this principle.

15156. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The pay and prospects of the members of the judicial and executive branches of the Public Service should, as far as practicable, be assimilated. There is a widespread feeling in Bengal that both as regards pay and prospects the executive branch is better off than the judicial.

15157. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I have answered this question.

15158. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The leave rules for the judicial and executive branches should be assimilated, so far as practicable.

15159. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable and explain fully your views, making any suggestions that appear to you to be suitable? I cannot say that I am satisfied with the existing organization of the Provincial Service. It has operated as a bar in many cases to the advancement of Indians to the higher appointments, especially, as I have already observed, in regard to appointments in the Education Department. It does not provide sufficient facilities for advancement to the higher offices. Then again, the judicial branch of the service suffers in comparison with the executive branch as regards pay, promotion and prospects. The two branches should be placed on the same footing.

MR. SURENDRANATH BANERJEA called and examined.

15160. (*Chairman.*) You are the Editor of *The Bengalee*, are you not?—Yes, I am.

15161. In answer to question (1), you say that you do not regard the working of the present system of open competition as satisfactory?—That is so.

15162. Your reason for saying that is because you do not consider that a fair opportunity is given to Indians in that examination?—That is so.

15163. You are in favour therefore of a simultaneous examination in England and in India?—I am.

15164. I gather from your answers that you are in favour of maintaining a European spirit in the administration?—Entirely.

15165. Do you feel that by the establishment of a simultaneous examination that element can, be definitely assured?—I think so, completely, if we insist upon English qualifications on the part of the successful candidates.

15166. You do not suggest any irreducible minimum?—There is a difficulty in my way as regards that. In the first place we have the Charter Act which altogether abolishes racial distinctions—"No Native of the said territories nor any natural-born subject of His Majesty resident therein shall by reason of his descent, birth, or colour, be disabled from holding any office under the East India Company"—and the Charter Act of 1833 was reaffirmed by the Queen's Proclamation; and further, in the despatch of the Directors to the Government of India, following this Charter Act, they definitely laid down the principle that there was to be no such thing as a governing caste in India. Here we have the Charter Act followed by the definite statement of policy by the Court of Directors, and the principle of the Charter Act carried still further by the Queen's Proclamation of 1858. In the face of the Charter Act, in the face of the sanctity which attaches to a solemn declaration made by the Sovereign on a very great and momentous occasion, it seems to me impossible to hold the view that there should be, such a thing as an irreducible minimum.

15167. In view of these things you have just described do you see any difficulty, consistent with the maintenance of a European element in the establishment of simultaneous examinations? You have narrated to us the Proclamation and the Statute which lays down what I may term the open door, and you say that nothing should be done to repeal or restrict that Proclamation and Statute?—Quite so.

15168. On the other hand, you say you are desirous of seeing maintained a European element?—That is so, but only on the ground of efficiency and not of race.

15169. You see no possible danger of that element being to a dangerous extent diminished? —I do not apprehend any danger whatsoever, because I feel that for years to come, even after the introduction of simultaneous examinations, the Indian element will be a small element in the list of successful candidates. I am an educationalist and perfectly acquainted with the educational facilities which this country can provide, and, having regard to those educational facilities, I think I am not guilty of the slightest exaggeration when I say that it will take, if not the whole life-time of a generation, yet at any rate half the life-time of a generation, to provide those educational facilities which will produce candidates equal to meeting English candidates on their own ground.

15170. Supposing that, when half the life-time of a generation had elapsed owing to more efficient forms of education in this country, Indians in large numbers had obtained a position of intellectual efficiency so as to be able to compete successfully with the Europeans in this examination, what position would you be prepared to take up then?—Is it conceivable that whatever may be the state of efficiency attained by our educational institutions, and whatever may be the intellectual capacity of our people, that the Indian element will be in a position to raise the question of the irreducible minimum? I do not think so at all.

15171. That is the question I am asking you. Your answer is that you anticipate the probability to be so remote that it is hardly a possibility?—That is so.

15172. Therefore you will, on your own admission, say that you are leaving something to chance in the future?—I think the chance is very small.

15173. But it is a chance?—There is a chance, but sometimes a chance is so small that practical politicians may leave it out of consideration altogether.

15174. In answer to question (32) you say that successful Indian candidates should spend their probation in England?—Most certainly.

15175. How many years would you suggest?—Two at least.

15176. What course would you put them through?—I would put them through the same course through which English probationers would be put. I have mentioned some of the subjects to which special attention should be directed.

15177. As regards the European, will he go through your scheme of probation in England?—Certainly.

15178. Would you suggest any time of probation for him in India before he takes up his work in the Service?—If he has a period of probation of two years in England, I think he might be allowed to join his work here and get such work given to him as is given to Assistant Magistrates when they first join the Service. They try petty cases and look after the treasury and do some small revenue work. That is the probation in practical work through which the Assistant Magistrate passes in this country.

15179. Under the close supervision of a superior officer?—Quite so.

15180. Do you regard it as important that the period of probation of the European should be in India?—No, it should be in England.

15181. That period of training, I mean?—It should be in India.

15182. Do you regard that as important?—The work itself would be the period of probation.

15183. In your answer to question (6) I notice that you do not include any Indian vernaculars? —No, I do not.

15184. You do not regard that as important?—Having regard to some of the Indian vernaculars being in different stages of progress, it may be held that they are not entitled to the same position, as a subject of examination, as French, Italian or German. There may be a difference of opinion with regard to that matter, and therefore I did not put it in. I may add that it was suggested on the last occasion before the Public Service Commission of 1885-86.

15185. You do not in your answer to question (10) say whether, under you scheme of simultaneous examination, the promotion to listed posts should be in lieu of or in supplement to your scheme.—I think the gist of my answers would be that promotion to listed posts would be supplementary because that concerns another service altogether. I go upon the principle that it is not likely that by the introduction of simultaneous examinations full justice at least will be done to the people of India for some time to come, and something has to be done supplementary to the introduction of simultaneous examination.

15186. So that you would retain the listed post system?—Yes.

15187. Would you keep it as it is now?—I should like to see the list somewhat amplified, because at present the listed posts, as far as I can gather, are confined to Judgeships and Magistracies, and in some of the other Provinces, I understand, Joint-Magistrates and Assistant Magistrates. The Public Service Commission of 1886 recommended some other posts, for instance, Secretary to the Board of Revenue, to be included in the listed posts, and the Under-Secretary to Government was one of the appointments recommended. Then there were two other posts of far greater importance, Membership of the Board of Revenue and Commissionership of Division; but the Government of India did not accept these two. There is no reason, however, why the Under-Secretary to the Government and the Secretaryship to the Board of Revenue should not be included in the listed posts.

15188. Would you like to see the listed posts attain the same position as the Indian Civil Service?—No; as a sort of prize to be held out to the Provincial Service.

15189. You would keep it with exactly the same status as now?—Yes, with amplifications.

15190. Something between the Provincial Civil Service an the Indian Civil Service?—Quite so.

15191. In your answers to questions (11) and (37), you deal with the judicial branch, and you suggest that officers after two or three years, having passed through the Indian Civil Service, should then definitely assume their future line.—That is my suggestion, and I find that that is a suggestion which was made by a very distinguished man, Mr. Romesh Dutt.

15192. Having assumed the position of the judicial branch could you tell us shortly what course you would like to see a civilian take on entering that branch?—My suggestion is of a somewhat practical nature. With regard to the theoretical training I cannot say very much, because I am not able to judge as I am no lawyer; but formerly Joint Magistrates when they had made up their minds to take up judicial work used to try civil cases as Munsifs. I think that is the sort of training requisite that they should be brought into touch with practical civil work. I take it that the deficiency of the Civil Service lies therein, that they have not sufficient familiarity with the civil work of the judicial branch.

15193. The Munsif's judicial work is confined to civil work, is it not?—Entirely in the regulation Provinces; not in the non-regulation.

15194. You do not suggest that any alteration should take place in his work and that he should have any criminal work to do?—My suggestion is that the Munsif should have criminal work and the Joint-Magistrate should have civil work.

15195. Do you suggest the Munsif should have criminal work as well as civil?—Yes. That is part of the general scheme for the separation of judicial and executive functions, because I say the two functions ought to be separated, and if that is done, the Joint-Magistrates who take up the judicial branch ought to become familiar with civil work, and the Munsif who is familiar with civil work ought to be familiar with criminal work.

15196. Then he goes through his various stages on the judicial side. You do not suggest anything in the nature of his going Home for study leave?—I do not. I am not in a position to make any suggestion of that kind, because I am not quite familiar with the subject.

15197. It has been suggested to us by many witnesses and I wanted to know what your view was – I am hardly in a position to give an opinion, but I think real judicial work is best learnt in the Law Courts by practical familiarity with it in the Courts. The intricacies of Hindu and Muhammadan Law are quite different from the Laws of any other countries.

15198. In answer to question (21) you recommend the revival of the old statutory system. What has influenced you in that?—I believe that the introduction of the simultaneous system would not do justice to the claims of the people of India, having regard to what I have already said—the inadequate educational facilities we possess.

15199. To what posts would you recruit under that system?—I would include some of the listed posts, Magistrate, Judge, Secretary to the Board of Revenue, and perhaps a Commissionership of Division.

15200. Do you suggest by that, that it would be open competition or competition tempered by nomination?—I have no very strong opinion. I would prefer open competition because a qualified system of competition was tried and failed. I think if there was open competition there would be a chance of attracting some of our best men.

15201. Would you reserve any proportion for promotion by selection?—That is for the Government to decide. I would not make any recommendation myself.

15202. You are in favour of open competition for the Provincial Civil Service?—Undoubtedly.

15203. Without any reservation of a proportion by nomination?—I would have open competition to begin with, giving the first few appointments to the men on the top of the list. Then if I found that some of what are called the backward classes are not represented, and if the examinations which they have passed are fairly satisfactory, I would apply nomination.

15204. You would allow a certain proportion to be nominated?—Yes. That used to be the system in vogue in Bengal, and I think it worked on the whole very well.

15205. A proportion by nomination and a proportion by competition?—The first few by competition pure and simple; later on, in connection with representations of backward communities nomination might be made.

15206. So that you consider the representation of the different classes as important for the Provincial Civil Service?—Yes, but of course efficiency is a supreme consideration.

15207. But you are going to make an exception to your rule of open competition in this case in order to obtain due representation?—I go upon the experiment that we had in Bengal, which seems to me to have answered fairly well.

15208. I suppose if you did not get some form of nomination in Bengal, there would not be that due representation you require?—There has been a difference owing to the administrative arrangements which have recently taken place. We have now two classes, Hindus and Muhammadans; formerly we had the Natives of Bihar and Orissa. As far as the Muhammadans are concerned, they are rapidly coming to the front; and although it may be necessary to make nominations in their favour, I think the necessity for it will not last long, having regard to the rapid progress which the Muhammadan community is making in the matter of education.

15209. You think they are making great strides?—Very great strides indeed.

15210. In the days when there was open competition to the Provincial Civil Service, do you know how many Muhammadans were successful in obtaining places in those examinations?—It was different then. Within the last three years, since the movement for the University has been on, I think a distinct impetus has been given to Muhammadan education. I happen to be connected with a college and can give the figures. Three years back the percentage of Muhammadans was 4, last year it was 7, this year it is 10 of the entire number of students in the college. So that the precentage is doubling itself. The statement I have made with regard to the college with which I am connected is, I believe, true of all other colleges in Calcutta.

15211. (*Sir Murray Hammick.*) I understand that you would propose in your new scheme that simultaneous examinations should take place at one place in India?—Yes.

15212. And that half the judicial posts should be handed over to be recruited from barristers and vakils?—Yes, professional lawyers.

15213. That the Statutory Service should be revived?—Yes.

15214. And that certain appointments, such as Commissionerships, should be given to that Service?—Yes.

15215. And that the number of listed posts should be considerably enlarged?—Yes.

15216. Then I suppose that within a very few years a very, very small proportion of the present appointments would be left to be filled up by candidates from the open competition in England?—I would not like to anticipate things that are to take place in the future.

15217. But it is just as well we should anticipate them, surely?—I do not at all indulge in those gloomy anticipations, that there will be few appointments left.

15218. Although half the judiciary has gone, a new Statutory Service is constituted which is to take several of the high official posts, the number of listed posts is to be enlarged, and a simultaneous examination is to be started in India; you do not think all this will tend to a very great decrease in the number of apppointments open to the Service to be filled by members from England?—It will certainly tend to decrease, but I do not say it will tend to decrease the number very much.

15219. You do not propose to make any arrangements to get in any special classes?—I do not.

15220. The persons who are to be promoted into the Statutory Service are to come from the Provincial Service?—Yes, but I think I said I preferred open competition.

15221. I think you said it is to be leavened with competition?—I said the Statutory Service is to be recruited by open competition.

15222. And some by promotion—promotion from where?—From the Provincial Civil Service.

15223. Then the Provincial Civil Service will have two sets of officers in the Service, on the one side some in the Statutory Service, and the listed posts on the other side?—Certainly.

15224. Do you think it would be a great many years before any number of students in India passed this examination?—That is undoubtedly my belief, and I have very good reasons for it.

15225. I should like to know, looking to the small number of Indians who go Home, and to the fact that every year a certain number of them pass for the open competition in England, whether you do not think it is likely that, in a very few years, say the next ten years, owing to the large number of clever men in India who are too poor to go Home but who will appear for the simultaneous examination, a very large number of natives will pass that examination?—I do not think so. I will give a concrete instance which, I think, will explain what I mean. The examination is so difficult that even our crack students, after going through a preliminary course of training for two or three years, are not able to compete with English students. I will give one case, the facts of which I have gathered: the case of Mr. Basu, who stood 25th in the list. He passed from the Presidency College first class in Physics and second class in Mathematics, double honours, a rare distinction, double honours B. A. of the Presidency College. He was one of the most brilliant students of the college. He went to England and studied there for three years, and then he passed only 25th. I was talking with one of the most distinguished educationists whose name I have not permission to mention, and he told me that even our best students would find it extremely difficult to hold their own in competition with English students as the examinations are conducted now.

15226. But your experience is entirely in Bengal. You cannot speak with regard to Bombay, Madras, or the schools in the North?—We are an intellectual people here.

15227. I know you are, but I do not think you are quite as intellectual as we are in Madras.—I am not prepared to yield the palm to Madras.

15228. But you are only speaking of Bengal.—Bengal has been always very brilliant in the matter of examinations.

15229. I quite admit that. then you require two years' training in England?—Yes.

15230. Do you think that is enough to endue an Indian with a thorough Western atmosphere.—I would make it three if you like, if there should be any difference of opinion, because I want our young men to be as far as possible brought up amidst English ideas. If two years is not enough I would make it three.

15231. You are not satisfied with the definition of "Natives of India," and you say that a person of unmixed European descent should not be regarded as a Native of India.—That is a matter of sentiment with me. I am a Native of India. Why should a person of unmixed European blood be allowed to call himself a Native of India?

15232. If he were domiciled and his father and grandfather had lived in India, would not you say he was a Native?—I have no serious objection to it.

15233. I did not know whether you had any special reason?—It is more a matter of sentiment with me. An individual who makes India his home is, I think, entitled to the privilege of an Indian.

15234. I should like to ask you a few questions about this proposal of yours to allow Munsifs to take part in the magisterial work of the country, have you ever had any experience of that?—None. But I may say that this magisterial work means taking up criminal work, and in the non-regulation districts of Bengal this is done. Extra Assistant Commissioners in Sylhet and elsewhere are Munsifs, but they take up magisterial work and also do civil work.

15235. You have never tried it in Bengal?—Not in Bengal, but Sylhet was part of Bengal not many years ago.

15236. Your Munsifs in Bengal, I imagine, as our Munsifs in Madras, have a great reputation of being as a whole a body of men who are exceedingly capable and administer their duties very purely and free from all taint of corruption?—That is so.

15237. Do not you think that the superior reputation of the Munsif over the reputation of the Magistrate is considerably due to the fact that the Munsif sits in a court so many hours every day and goes home leaving his papers in the court, and does not mix with anybody after he has left his court house?—It is difficult to say to what the superiority is due. I am not in a position to answer that question My own idea is that it is due to the fact that they are under the High Court, that there is no executive control over them, that they are independent. That is one of the reasons why we are so anxious to separate the judicial and executive functions.

15238. I will put it in another way. As regards efficiency, Munsifs now succeed in getting through their cases with great rapidity and with satisfaction to everybody Do you think if a Munsif did magisterial work and had to visit the scenes of crime..........—I am afraid you did not understand me. When I said magisterial work I meant trying criminal cases, not magisterial work in an executive sense.

15239. A Magistrate would have to look after the police, for instance?—That is not what I meant a Munsif would have to do.

15240. He will have to visit the scene of crime occasionally?—He does that even now in connection with civil cases.

15241. But he will have to receive urgent processes from the police any time of the night and day, will not he?—If he does magisterial work he will have to take a dying deposition.

15242. He may be sent for to go to a distance from his court to take dying depositions. Do not you think that is likely to interfere very seriously with his civil administration?—I do not say it will, for the simple reason that, if that civil work which he does now is divided and then this additional criminal work is put on, I cannot see how it would interfere with the civil work, because the nature of the work is the same; it is the administration of justice—in one case civil justice, and in the other case criminal justice. I do not differentiate between the two.

15243. Do not you think the very fact that in almost every country the civil work is kept entirely separate from the Magistrates' work – I do not say from *criminal* work—is fair evidence that the two things cannot be combined together in one Judge?—May I ask you to look at the matter from my point of view? These Civil Judges afterwards become Civil and Sessions Judges and then for the first time they are brought into contact with criminal cases involving sentences of life and death, and unless they have been, in their early years, adequately trained to deal with criminal cases, how can you expect them to do justice in those cases?

15244. That may be, but I am not asking you about that point of view. Have you considered whether the combination of magisterial work with civil work in one man's hands is not likely to lead to a considerable deterioration of the civil work?—We do not find any in the non-regulation provinces. I have never heard any complaint about a Munsif's work suffering by reason of his doing criminal work.

15245. (*Mr. Abdur Rahim.*) With regard to your proposal that Munsifs should do magisterial work, have you had experence of Munsifs doing magisterial work?—I have had no personal experience of any kind.

15246. It strikes me it would be rather a difficult arrangement to make, for Munsifs have to fix cases for particular days, and they might not know how long a trial will go on, or whether it will go on from day to day?—It would be difficult to arrange civil and criminal work being taken up by the same man, do you mean? It is difficult for me to say, because that is a matter of administrative arrangement, and I have no experience of these arrangements and I am unable to give an answer.

15247. In England do you know that civil work is not done by Magistrates, nor do the County Court Judges try criminal cases?—I believe that is so, but the latter are like the Judges of the Small Cause Courts.

15248. Very much like that, but of course there is not the same sort of difficulty in the District Judge doing the sessions work because sessions are fixed for a particular time and then the Judge devotes himself entirely to session work?—They do it now.

15249. Because sessions are fixed for a particular time and witnesses are summoned beforehand, the Magistrate has to issue process and all that. It would be very difficult to arrange?—That is a matter of administrative arrangement with which I am not familiar.

15250. What you really want is that officers in the Subordinate Judicial Service should have experience of criminal work before they are appointed District and Sessions Judges?—Quite so.

15251. That can be arranged by appointing the Assistant Sessions Judges to do the work?—Possibly.

15252. I suppose you know that a trained lawyer—and a lawyer is trained mostly in civil work—generally proves quite able to cope with criminal work, criminal work being merely a small branch of the law?—Quite so.

15253. You are in close touch with public opinion in Bengal, and I should like to have your view with regard to the Indians in the Indian Civil Service. What is the reputation they have among the people?—Very good, indeed, so far as I can judge. I have never heard many complaints; in fact, I may say, I have not heard any complaints except once or twice about Indian Civilians.

15254. Have you received more complaints regarding their work than regarding the work of other members of the Civil Service?—Certainly not.

15255. What is the reputation of the officers in the Provincial Civil Service?—Very high.

15256. Both judicial and executive?—Yes; very high, indeed. In fact, I would say that the officers in the judicial service have even a higher reputation than those in the executive service.

15257. Have you known many Muhammadan officers?—Yes.

15258. What is your opinion regarding them?—They are very good. Some of them I have the highest respect for.

15259. You know there have been very many distinguished Muhammadan officers in the Provincial Service?—Yes, and I have a very great respect for them.

15260. With regard to the representation of Muhammadans in the Provincial Civil Service you would leave a certain proportion of appointments to be recruited by selection, by the Government I take it?—Yes.

15261. Do you say that the Muhammadans have been making such rapid strides in the last few years in education that it would be possible to introduce competition in the Provincial Civil Service?—Yes.

15262. Can you tell me if there has been any appreciable increase in the number of Muhammadan graduates in the last five years?—I have a statement which affects the college with which I happen to be connected, and I will just read it because I think it will give you the facts. In the college with which I happen to be connected, one of the largest in Calcutta, the number of Muhammadan students in the College Department has been as follows: In 1909-10 there were 26; in 1910-11 there were 52; in 1911-12 there were 74. The percentage in 1909 and 1910 was 4·4; in 1910-11 it was 7·9; and in 1911-12 it was 10·6.

15263. Can you tell me the number of successes in the University examinations?—They were fairly large. I think quite equal to the numerical strength of the candidates who go up for the examination. You will have to bear in mind that the Muhammadans, as compared with the Hindus, are a poorer community. What I have most admired in them is the zeal they are displaying at the present moment for educational progress. They are very poor and do not always get the benefit of the Muslim fund and they go about trying to obtain fees, and so on. It is a zeal which excites admiration and speaks well for the future of that community.

15264. I suppose you know also that the class of Muhammadans who educate their children in English schools and colleges are most of them men who have held some offices in Government service?—That is so.

15265. I think you will agree with me that, if by any measure the Muhammadans are to any large extent excluded from the service of the Government, it will have a very prejudicial effect on their development?—The Hindus do not want it, I think.

15266. In your opinion it will have a very prejudicial effect on the advancement of the community?—Quite so, but of course the question of efficiency has to be borne in mind.

15267. I do not deny that, but you will admit that efficiency can be secured by requiring a minimum qualification?—Yes.

15268. Whether in the Provincial Service or in the Indian Civil Service?—Yes.

15269. If efficiency is secured, would you not agree that the most satisfactory method of recruitment, even for the Indian Civil Service, would be that which can secure the representation of different provinces and communities?—No: for the Indian Civil Service I would make it an open competition without any nomination or any reservation of any kind.

15270. Even if efficiency can be secured otherwise?—I think we had better proceed upon that principle, and that alone.

15271. Will you give me your main reason for saying so?—Because there we proceed upon the Statutes and the Proclamation and there the test of efficiency and the test of ability are the only tests admissible. We cannot on any account, no matter how important the interests might be, go back on the Charter of 1833 or upon the Queen's Proclamation. Those two documents make ability and merit the sole test of qualification, and I think we must insist upon it.

15272. The Charter, as I read it, does not require a competitive examination?—No; but the competitive examination follows as a necessary corollary from the Charter Act, because it makes merit the sole test of qualification.

15273. I am putting it that merit should be the sole test?—But you want to introduce class representation or something like it.

15274. First of all I would lay down high qualifications? How will you lay down high qualifications? You cannot do so except by testing them and you can most effectively test them by open competition.

15275. Is there no other means of testing high qualifications?—None that I know of as good as an open competition.

15276. What about academic degrees?—Not necessarily; they are a corollary to it.

15277. With regard to the separation of the executive and judicial functions, will you tell me if there is a very strong public opinion on that subject?—There is a very strong opinion, indeed, in favour of the separation.

15278. If I mistake not, there has been continued agitation for a very long time over this matter?—Yes, there has.

15279. What are the chief evils which you have noticed in this combination of the two functions?—The power which the executive exercise over the judicial decisions of Magistrates subordinate to the Chief Magistrate of the district, and that power is often exercised through the Police. The Police get the ears of the Magistrate, and the Magistrate controls the actions of his subordinates, and those subordinates are Deputy Magistrates.

15280. But is there much complaint made with regard to the results of this combination?—Very much; there have been many cases. We had a case the other day which Mr. Justice Hassan Imam decided in which the head of the executive tried his level best to exercise all his influence with a view to binding down a particular zamindar who had incurred his displeasure because he did not appoint a European manager. There is a High Court decision about it.

15281. Have there been any other important cases like that?—There was a case the other day at Hazaribagh in which the Deputy Commissioner, I think, wanted to set up a hostel with public funds in competition with a private hotel. The matter came before the High Court and was settled.

15282. You know, I suppose, that applications for transfer are often made?—Very often.

15283. And the reason for those applications is generally that the head of the district is also the head of the Magistracy?—That is so.

15284. (*Mr Madge.*) You have given us as one of your reasons for not approving of the present system of competitive examination, that it does not afford Indians the facilities for admission to the covenanted service. Have you ever looked at the matter from this point of view—and, in answering my question, I would like you to bear in mind that I do not want to draw any abstract distinction of superiority or inferiority, but to deal with qualifications with reference to a particular class of duties—that as regard the practical qualities needed in Indian civilians, the competition test, which is a literary one, more or less affords a proper criterion?—Certainly, and I would quote high authority in favour of it, and that is the authority of the committee that was appointed in 1853 and was presided over by Lord Macaulay. I will quote his authority to show that a competitive test is not merely a test of intellectual capacity, but also a test of moral qualities which are needed in the Indian Civil Service: "Early superiority in science and literature generally indicates the existence of some qualities which are securities against vice, industry, self-denial, a taste for pleasures not sensual, a laudable desire of honourable distinction, and a still more laudable desire to obtain the approbation of friends and relations. We therefore believe that the intellectual test, which is about to be established, will be found in practice to be also the best moral test which can be secured."

15285. I tried in putting my question to you to avoid as far as I could putting any moral inflection upon my question at all. The accent I put upon it related to practical qualities. Amongst other things I do not deny that you look for moral qualities, but you look for energy, vigour, and other qualities, which, as far as I can understand history, the English race seem to possess more than other continental nations, such as the French or Portuguese, judging by the results of their success or failure in their colonies. Do you think all races possess the administrative qualities of the English?—These moral qualities are not the monopoly of any race; they are part of our common human nature. When students study hard and are successful in examinations, do not they exhibit courage, pluck, capacity, and all those qualities which are needed in the task of administration? I think the fact of their being successful in one of the most difficult examinations in the world implies the possession of a capacity which ought to be a guarantee for administrative success. I think the two things are involved.

15286. You have just referred to the moral qualities which I have tried to exclude. However, we will deal with the practical qualities?—In my country Indians have never been wanting in executive capacity. Will you point out to me a single case where, placed in a difficult position, they have been found wanting?

15287. You are not questioning me. I simply want your opinion on these points. You have referred to the Charter and the Solemn Proclamation and other things, which I think no sane person wishes to set aside. You have also referred to the paramount importance of efficient administration. Do you take it for granted that in making the rules for the appointment of people to the service, the Government have disregarded, or wish to disregard, these solemn declarations, rather than to secure the efficiency which you declare to be of paramount importance?—What regulations do you refer to?

15288. You have told us that the grounds on which you base certain claims are the Charter Act and the Solemn Declaration, and so forth, which I say everybody admits, and no one desires to set aside. But you have also attached paramount importance to efficiency. Is it your belief that the Government of this country, in passing rules for competitive examinations and for selecting officers, desire to set aside the Proclamation or the Charter Act and do not look mainly at efficiency?—It is difficult to say what the Government want or do not want. I do not know that I am in a position to answer the question, but Government in making rules should be guided by considerations of efficiency and also probably by considerations of class representation. There will be that double consideration, and that would be the view of the Government, I think. But of course this is a matter which it is difficult for me to speak about, because I do not know what considerations the Government are guided by.

15289. As regards the separation of the judicial from the executive, do you or do you not think that during the earlier years of his career the young Civilian gathers experience from his executive functions which are of value to him afterwards whether he chooses the judicial or the executive?—When he first joins the service he is given cases to try, and I do not think he is really fit to try cases because he has not sufficient experience to be in position to do so. I think for two or three years he ought to deal with Police work, Revenue work, Executive work, Treasury, and things of that kind; that will give him some idea of the people and their habits and conditions. After having acquired that experience he ought to be allowed to deal with cases. But I am afraid that is not done. As soon as an Assistant Magistrate comes out he is invested with third class powers and is asked straight off to try cases. He does not know much about the cases.

15290. I am afraid I did not ask my question clearly. My question was whether, not only in the first few years, but say in the seventh or the eighth year of his early experience the executive officer does or does not acquire experience which is valuable to him later in life, no matter whether he takes up the judicial or the executive side?—I entirely agree.

15291. Suppose he was appointed to the judiciary early in life, before that experience had been acquired, what would you give the judicial officer to compensate him for the loss of that experience?—In doing executive work he acquires experience of the people, and that experience is valuable to him in his judicial work. What I object to is that this young officer should be asked to try judicial cases when as a matter of fact he knows nothing at all about the country.

15292. My question is, if the executive officer acquires an experience which you admit to be valuable and you take him away from executive office and appoint him to the Bench before he has acquired that experience, what do you propose to give him to compensate for that loss?—I suggest he is to be drafted after two or three years, not after six or seven.

15293. Do you think he acquires no valuable experience after two or three years?—After two or three years he is to be drafted to the judicial line if he chooses that line. But I am afraid we do not follow each other.

15294. The opinion is not unanimous that a man should be withdrawn at any particular period. I happen to know that the Government of Bengal once suggested nine years, but suppose your man is withdrawn at three years before he has acquired much experience in executive office, which a great many people think to be very valuable up to a further period, then what would you give him to compensate for the loss of the experience which he would have gained as an executive officer in the three, or six, or nine years if the bifurcation were delayed?—Do you suggest that the bifurcation should be delayed?

15295. It is not my suggestion?—I am afraid I am not able to follow you, and perhaps you would kindly put it in a simpler way and give me your opinion.

15296. My opinion is not worth anything in a matter of this kind?—I am not able to understand the drift of your question. If I could understand it I would answer it.

15297. People of much greater authority than my humble self have suggested that the period should be extended to nine years at least before bifurcation takes place, on the ground that during those years very valuable experience would be gained in the country by the civilian?—To that my objection would be that in nine years' time a distinct bent would be given to his mind, an executive bent which would be disastrous to the interests of justice.

15298. I notice that you do not object to the statutory service?—No.

15299. Do you think that the wrong persons were chosen for it before it was abolished?—Yes.

15300. You would have a better system and retain the service?—That is so.

15301. You would also have the listed posts?—Yes.

15302. You do not think that all this taking away of appointments now held by the Indian Civil Service would have any effect upon the candidature for that service?—I do not think so.

15303. You think an English experience at some period absolutely necessary for all officers?—Absolutely necessary.

15304. And you limit it to two years?—Two or three years.

15305. Do you think that the experience is absorbed to better profit early in a young man's career or later in life when, as some witnesses have said, the capacity for observation becomes stronger?—I think after one has passed a university degree ought to be the period; it ought not to be too early or too late. The mind ought to be plastic at that time.

15306. (*Mr. Macdonald.*) You have referred to a case in the High Court regarding a zamindar which showed the disadvantages of the conjunction of the executive and judicial functions. Perhaps you could let us have a report of that case?—It is in *The Weekly Notes*, and I will send you a copy.

15307. You have seen, I suppose, that various witnesses have told us they are in favour of some system of nomination because they say they do not get the best type of candidate by open competition?—Yes, I have seen that.

15308. Would you and those whom you represent here to-day accept any form of nomination as a preliminary to the open competition for the Indian Civil Service?—Certainly not.

15309. Would you accept any kind of selection which would limit it to classes and families?—I would not.

15310. Hereditary influence and so on?—I would not.

15311. Would you accept any preliminary test that might be put up so as to select men of character as distinct form men of mere intellectual ability?—No, I would not accept any such test.

15312. Do you tell the Commission definitely and without reservation that no system of nomination or selection carried on by five or six gentlemen will be acceptable to the educated section of the Indian community?—That is entirely the case.

15313. We have had some reasons against simultaneous examinations placed before us, and I should like to put one or two of them to you for your opinion. We have been informed that enlightened opinion in India, both Indian and European, is opposed to it?—I can speak only of the enlightened Indian opinion and that is entirely in favour of it, and I hope enlightened English opinion also is in favour of it. I had a talk with one or two Englishmen, one of them a distinguished educationalist, and he said he was entirely in favour of it. Some years ago a distinguished Member of the Board of Revenue, Mr. Dampier, said he thought it was marvellous that a system of simultaneous examinations had not been introduced in this country.

15314. Then we were told it was impossible to secure by competitive examination in India the class best suited for administrative posts or for important Government employment?—That is absolutely unfounded. Would it be possible to secure a better man than Romesh Dutt or Sir Krishna Govind Gupta?

15315. I suppose, however, this objection would not be taken to those who have gone to England to study, but to those who would find their door into the Indian Civil Service open in India itself?—This objection would not be taken by those who had gone to England. I think Indian opinion is practically unanimous in favour of simultaneous examinations.

15316. Your opinion is that if a door was opened in India you would get as good quality in your candidates as you get in those who go to represent you in England?—I have not the slightest doubt about it.

15317. It has been also said, "We consider that one of the strongest objections to simultaneous examinations and the resultant Indian training of candidates is that it would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence upon the young Indian candidates at the most impressionable period of their lives"?—That is absolutely unfounded.

15318. Is there any justification for a statement like that?—Absolutely none.

15319. I suppose you would regard yourself as one of the political agitators?—They call me so.

15320. Would you be any more active if you knew there was a simultaneous examination conducted in India than you have been before?—I would regard it as a great boon and it would quiet agitation in that direction.

15321. As a matter of fact, it is rather difficult to imagine you being more active than you have been! This objection, if it were serious or a real objection, would be a very serious objection in your opinion?—It would be a very serious objection.

15322. And you are of the opinion that there is nothing in it at all?—Absolutely nothing.

15323. We have had it stated that the present European section in the Indian Civil Service in Bengal has now reached its minimum?—I do not think so.

15324. Supposing there was an increase in the number of Indians who hold important positions in Bengal, do you think there would be any danger of destroying the British tone?—So far from being a destruction of British tone, I think there would be an improvement. Our countrymen would become more English in their ideas by having to go to England and associating themselves with Englishmen, and I think it would mean an upward movement all round.

15325. You think that the more Indians who get into the Indian Civil Service after they have visited England, either before examination or after examination, means that the British character of Indian public life would be strengthened rather than weakened?—That is so.

15326. There is one point where I think you depart from your faith in competitive examinations about which I should like to get my mind clear. You say you are in favour of the revival of the statutory service and you are going to base your new statutory service upon competitive examination?—Certainly.

15327. Am I right in thinking that the examination which is going to be given to these statutory civilians is going to be of a lower standard than the Indian Civil Service?—That is so.

15328. And then the statutory man gets appointed to the Indian Civil Service?—Yes, but he is not getting the same pay.

15329. But he is going to do the same duties?—He is going to hold the same offices with lesser pay.

15330. He has the same responsibility?—Yes.

15331. He must keep up the British tone?—He must.

15332. He must do exactly what the man with the higher pay does?—Yes.

15333. This is a sort of fourth section of the service,—Subordinate, Provincial, Statutory, and Civil?—Yes.

15334. You have two sections of the Indian Civil Services—the Statutory and the ordinary?—Yes, because I think the simultaneous examination will not give us what we want.

15335. Is it not a cardinal part of your faith that you should have open competition which tests the Indian men who go into this *corps d'élite*?—Quite so.

15336. Are not you breaking your own traditions?—No, it is a practical measure for doing ampler justice to the claims of our countrymen.

15337. And you would sacrifice the perfection of the *corps d'élite* in order to meet certain practical difficulties?—Yes; in politics we have to compromise.

15338. In making this suggestion about the statutory section, would you have in your mind that in a short time it should be eliminated altogether?—It is for the present.

15339. A temporary arrangement?—Entirely.

15340. In answer to question (11) you say that Civilians who are to take up these appointments should be drafted to the judicial branch early, say two or three years after having joined the service. I should like to get that clearly on the record because you are, I believe, in favour of separation of the judicial and executive functions of the service, and you are not against a recruitment to the judicial section from men who have passed the Civilian examination?—That is so.

15341. You say that they might have two or three years' experience as executive officers?—Yes.

15342. And then chose which line they are going to serve in?—Yes.

15343. Would you have any objection to their choosing straight away before they have any experience, and so divide your two services from the beginning?—The object I had in making that suggestion was that they might have a little experience of the country before they made the selection. They will be hardly in a position to make the selection at once, and they would be able to test their own qualifications before they made the selection.

15344. In order to give them that experience you agree to two or three years on the executive?—That is so.

15345. (*Mr. Sly.*) In addition to the simultaneous examinations, you suggest a revival of the Statutory Civil Service to be recruited by open competition?—Yes.

15346. Do you want one competition for the whole of India or do you contemplate separate recruitment by provinces?—It would be by provincial competition.

15347. You would prefer it in that way rather than one examination for the whole of India?—Yes.

15348. What is the reason you would prefer provincial recruitment?—I think it would be better than to have one for the whole of India because they would be mostly employed in the particular provinces.

15349. It is desirable in the province, you think, to employ residents of that province?—Yes, as a tentative measure.

15350. Do you think there would be any strong objection to making it a service equal in promotion, pay, and prospects, and everything to the Civil Service?—I do not think it ought to be made in every way equal to the Civil Service.

15351. Why should it not be?—Because it is an inferior examination and the status is different. In answer to Mr. Macdonald, I started with a proposition that the examination is not to be of the same type, and therefore it must be an inferior service.

15352. But they are going to perform the same duties in every respect?—That is so.

15353. And you do not think it would be considered a badge of inferiority placed upon Indians?—I do not think so when we have the simultaneous examinations. It is supplementary to the simultaneous examinations.

15354. Supposing simultaneous examinations were not to be given, have you an alternative that you could put before us?—I have no alternative; absolutely none.

15355. In your answer to question (4) you have expressed a desire that the open competition for the Indian Civil Service should be specialized with special reference to the needs of India?—That I said in reference to its being bracketted as one, Colonial, Home, and so forth.

15356. But you desire that the Indian Civil Service competitive examination should be specialised to meet the needs of India?—Not necessarily. I said we might do that. It ought to be the supreme test of efficiency and of merit, and the specialization is a subsidiary consideration.

15357. You do not want any change made in the examination?—No, except as regards the syllabus.

15358. That is the only point of change?—Yes.

15359. In answer to question (13) you have told us that the best age for Indians is between 21 and 22. That of course is presupposing simultaneous examinations are in force?—Not necessarily. I would have 21 to 22 in any case.

15360. Even if simultaneous examinations are not held, you would still reduce the age?—Yes.

15361. Why?—I have given my reason in the answer: it is a small reason, but it weighs with me, namely, that the bulk of the candidates are unsuccessful, and, if they are thrown out at the age of 23, it becomes a little difficult for them to make a choice of a profession. A year's difference at that time of life makes a great difference. That is my reason, whether it is good or bad.

15362. Then you think that is of sufficient importance to throw over all the weighty evidence taken in 1886 and 1887 in favour of raising the age?—There is weight of evidence also on my side. This matter was discussed many years ago, and Professor Jowett and Lord Northbrook were in favour of that age, and I think between them they form a body of evidence sufficiently important.

15363. Looking at it purely from the Indian point of view, what is the best age?—I think that is the best in the interests of my own countrymen.

15364. The Commission of 1886 desired to raise the age in favour of the Indians, but you think at the present time that is not necessary?—I think that it is more suitable to Indians than the present age.

15365. In regard to the judicial branch of the service, you desire that it should be trained by what you call the practice of the law, and I ask you to explain what you mean by practice of the law, practice as a Barrister, or practice as a Judge?—As a Judge, that is to say, coming in contact with the actual work of law, the actual administration of the law.

15366. You do not contemplate direct recruitment from the Bar?—Yes, I do, for half the recruitments.

16367. In the Provincial Service, if I understand you aright, you want to revive a system of appointment that was followed some few years back in Bengal?—Yes, with this difference, that originally it was open competition and then it became competition *plus* nomination. The second system I object to; it is the original system I want to revive.

15368. Open competition?—Open competition by which the first few men are to be selected, and then nomination when it is found that certain interests have not been represented. I have the Muhammadan community in mind, because that is the only community we have to think of in Bengal. If they are not properly represented, the Government might make a nomination from that class from the persons who have gone up for the examination and have obtained sufficient marks in that examination, and have shown merit as the result of that examination, the Government having regard to considerations of efficiency all through.

15369. You combine into one examination an open competition test and a qualifying examination test?—Yes, that used to be the case formerly in Bengal.

15370. And that is what you wish to see revived?—That is so.

15371. And you do not feel any sense of injustice in regard to such a system as this?—It is only a temporary measure to meet the requirements of the Muhammadan community; as soon as the Muhammadan community have advanced in education, I would do away with it altogether.

15372. But for the present you do not feel any sense of injustice in regard to that?—It will do injustice to none except to the Hindu community perhaps.

15373. (*Mr. Gokhale.*) You have no fear that the institution of simultaneous examinations will lead to the swamping of the Indian Civil Service by Indians?—Absolutely none.

15374. You have given one important reason for this, namely, that there are no proper educational facilities in the country to-day for training young men for the Civil Service?—That is so.

15375. And you stated it would take at least half the lifetime of a generation for these facilities to spring up?—That is so.

15376. Are you not somewhat optimistic in thinking that in about 15 years, which is what I take to be half the life—time of a generation, these facilities will have developed?—I am optimistic by nature and perhaps it is optimistic.

15377. Do you think even when they grow up they will be anything like what they are in England?—Not at all.

15378. That is one reason, but are there not other reasons also, for instance, the nature of the examination?—Quite so.

15379. Does it not confer almost an overwhelming advantage on the English candidate?—The Science Course necessarily must.

15380. Except Sanskrit and Arabic, are there any subjects which specially lean towards Indians?—Not in the syllabus.

15381. All the other subjects are practically of a kind that give an English candidate an advantage?—Entirely so.

15382. That is another important reason?—That is so.

15383. I believe you are an admirer of the English intellect?—Certainly.

15384. Whatever may be your claim for the intellect of Bengal as against the intellect of the people in Madras or Bombay, I am sure you will not claim that even the intellect of Bengal is superior to the intellect of England?—You are quite right. I do not claim that at all.

15385. So unless there is a very serious deterioration in English intellect you do not anticipate that Indians will swamp the service in large numbers if simultaneous examinations are instituted?—That is so.

15386. Unfortunately if ever such deterioration does take place in the English intellect, do not you think it would be probably part of a general deterioration?—Yes.

15387. Can the intellect of a nation deteriorate by itself while the nation's capacity, character and other qualities remain as they are?—It is impossible

15388. If such a day unfortunately ever comes when the English intellect does deteriorate to that extent the needs of the situation could not be met by a mere restriction of the Indians who get into the service, but there would be many other evils and many other remedies would have to be applied; so that you do not look upon it as a question of practical politics?—Not at all.

15389. You have no fear that the service will be swamped?—Absolutley none.

15390. Even if Indians do threaten to come in in larger numbers than the authorities may think desirable, will the swamping take place like an avalanche or only by degrees?—It must take place by degrees.

15391. Year after year more men coming in?—Yes.

15392. If they noticed in any two or three years that the number was getting to be more than was desirable, practical remedies could be found?—Yes.

15393. And English and Indian statesmenship would be equal to finding them?—Yes.

15394. The lowering of the age by a year would act as a check for instance?—Yes.

15395. As a practical politician you would leave that to the future?—I would.

15396. Your opinion is that there is only a faint possibility of swamping?—Yes, of which the practical politician need take no notice.

15397. There is another point that you have already cleared up in reply to Mr. Macdonald: your scheme about reviving the Statutory Service is really a transitory provision?—Entirely

15398. Because you do not expect Indians in any considerable number to get in by the simultaneous examination in present circumstances?—Exactly.

15399. Supposing it was objected to your scheme that this is really asking too much?—Then I would give it up.

15400. It is not an essential part of your scheme?—It is not a fundamental part of it, and I would give it up.

15401. If it jeopardized the chances of getting the simultaneous examination you would give up the Statutory Service?—Undoubtedly.

15402. You have been prominently associated for more than a generation with this agitation for simultaneous examinations?—Yes; I have been.

15403. You can tell us therefore probably, more than anybody else in the country, what the idea is at the back of the minds of those who are engaged in this agitation?—Equality of status, as subjects of the Crown.

15404. You are fighting for what you believe to be due to you on account of the equality of status which has been promised?—Yes, which has been promised by the Proclamation and which I take it is the fundamental essence of the British rule in this country.

15405. Supposing simultaneous examinations were granted and you dropped your scheme of having the statutory service, and no more Indians got in than get in to-day, would you complain that you were not being fairly treated?—Certainly not. I would have no right to complain.

15406. You insist on fair play for your young men and you are prepared to take the chance?—That is so.

15407. At the same time, if ever that faint possibility does arise of the larger interests in the administration suffering, you would be prepared to find a remedy?—Undoubtedly.

15408. You have been for more than a generation connected with educational work?—I have been.

15409. And you are in special touch with the aspirations and sentiments of the student community of Bengal?—I am.

15410. Can you tell us if there has been a decided tendency during the last few years of our best young men turning against Government service?—That is so.

15411. You are quite clear about it?—I am quite clear about it. The number of Bengalis who go up for the Civil Service are less than used to go up before, having regard to the growth of education.

15412. In spite of the fact that a larger number go to Europe for education?—Much larger numbers than before.

15413. They do not care as much for the Indian Civil Service as they used to do?—That is so.

15414. Is the number of those who go up for the Indian Civil Service from Bengal relatively less or absolutely less?—It is absolutely less.

15415. Do you think that our best young men are turning against Government service because of their interest in other careers, or is there any question of bitterness in it?—They feel that equal opportunities are not given to them, and it is the equal opportunities they aspire to, and, not getting those equal opportunities, there is a sense of bitterness created in their minds.

15416. If our best young men are turning against Government service with a feeling of bitterness like that, do not you think it it is a serious matter for everybody?—A very serious matter.

15417. Both for the Government and for those of the Indians who look forward to steady progress under British rule?—Quite so.

15418. From the standpoint of those who expect steady progress under British rule, which is better, that our best Indians should be inside the administration and contented or outside the administration and discontented?—Inside the administration heartily co-operating with the administration.

15419. From the standpoint of British rule itself, which is better, that our best men should be inside or outside?—That they should be inside the administration heartily associating themselves with it.

15420. (*Mr. Chaubal.*) Is it a sense of bitterness in the young men themselves or in their parents?—It is a sense of bitterness in the young men themselves.

15421. You say that the number of Bengalis going in for the Indian Civil Service is absolutely less now than it used to be?—Yes.

15422. If simultaneous examinations are introduced, do not you think that the number going in for the Indian Civil Service will be still less, I do not mean from Bengal but from the whole of India?—I do not think so. I can speak only for Bengal, and speaking for Bengal I think there would be such an immense sense of satisfaction that there would be a desire created to associate themselves with the Government.

15423. If simultaneous examination is introduced here, do you or do you not expect that the present number of those who go to England for the purpose of appearing at the English examination will lessen?—It is difficult to say, but there is a strong desire to go to England irrespective of the examination.

15424. If you cannot say the Indian door is wanted for the purpose of giving facilities to Indian students, I do not see the object in having simultaneous examination?—They are not going to England for the simultaneous examinations only; they go for the study of law and industrial matters.

15425. There is a certain number going to England for the examinations at present?—Yes, and that number would be certainly less.

15426. You have already stated that for many years yet, although a large number of Indian students might appear for this simultaneous examination, very few will get through?—That is my idea.

15427. Do not you expect there will be a certain amount of discontent on the part of Indian students if from year to year numbers of them appear and fail?—Not amongst the best and most enlightened of them. I think they would welcome a larger leaven of the Indian element into the service.

15428. We will not consider whether it is among the best and most enlightened, but consider whether it will be so amongst the public in general?—Not amongst the Indian public.

15429. Will not there be a feeling in the Indian public that so many of our young men are going in for the examination and not one comes out successful? Would not there be discontent on that ground?—I think there would be a stimulus to making greater efforts to qualify themselves for the examination. I think the discontent would be a wholesome one.

15430. I think you said in answer to a question by the Chairman that it was inexpedient and inadvisable to fix an irreducible minimum, owing to a legal difficulty?—It cannot be done legally. I said it was contrary to the Statute.

15431. But as regards the Provincial Civil Service you have no objection, at least for some years to come, to having a certain number by competition and a certain number by nomination in order that a proper representation of the backward classes may be found?—Yes, but only transitory.

15432. Why do you think there would be no infringement of the Statute there?—The Statute applies to the higher service. If it did not, the chaprasis would have to go in for a competitive examination. I take it that the Statute in its application was meant for the higher Indian Civil Service, in its spirit at any rate. Technically, lawyers may say what they like.

15433. Does the Statute say anywhere that it shall be a test only for the higher and better services?—I think it means for the higher service.

15434. Then it is your opinion that there will be no infringement of the wording of the Statute if in the Provincial Service you fix a minimum not with respect to the Europeans and Indians, but with respect to Hindus and Muhammadans?—It is not a question of irreducible minimum at all in the Provincial Service, if you will permit me to say so.

15435. Perhaps I made a mistake. Say two-thirds and one-third proportion?—It is to be fixed by the Government with special reference to efficiency.

15436. If Government tried to fix a proportion of two-thirds and one-third for their higher service, that would be an infringement of the Statute?—What I want to say is this, that in administrative matters we cannot always be logical; we have to take things as they are, and in this matter I think my suggestion is what the Government itself has been doing.

15437. (*Sir Theodore Morison.*) In addition to the simultaneous examination you ask for recruitment of the Indian Civil Service in three ways—more listed posts, statutory civilians, and one-half of the judicial service?—Exactly.

15438. Would you tell me how many persons you contemplate would be brought into the service by the first three?—It is difficult to say.

15439. We can easily estimate the judicial service, but how many more listed posts would you give?—I mentioned one or two more. I said Secretary to the Board of Revenue and Under-Secretary to the Government.

15440. That is for this province?—I am talking of Bengal; I do not know about the rest of India.

15441. How many Statutory Civilians?—That would depend upon the decision of the Government. I have not formulated any scheme with regard to the numbers nor have I suggested any views.

15442. You have suggested the same marks for the eastern classics. Can you tell me whether the standard at the present moment for that examination is as high?—It is higher than what it used to be. I cannot say that it is now as high, but it is higher than it was before. Formerly the marks were 375, then they were raised to 500, and now they are raised to 800. Whether the exmamination is on the same level with Latin or Greek I do not know. I say it should be raised to the same standard, and we do not object to that at all

15443. I wanted to know your proposal about that?—My proposal is the same treatment and the same stiffness in the examinations.

15444. Your proposal is to raise the standard to equality with Latin and Greek and mark it the same?—Raise it to the same standard and mark it the same. Otherwise it would not be fair at all.

15445. You say you would include Persian and perhaps Pali amongst the subjects of examination and assign to them the same marks that are given to French or Italian?—Yes.

15446. You say "exclude" in your proof, but that of course is a clerical error?—Yes.

15447. You would do that on the ground that they are subjects of study well deserving of representation and of value to Indian education?—Yes, and represent subjects of culture.

15448. You also include Indian History?—Yes, which is not in the syllabus.

15449. Do you object to the presence of things like Latin and Greek?—Yes, I do. I have the questions here and I notice that Greek passages are set

15450. I was not referring to that. Do you object to Latin or Greek literature being introduced into the examination?—I do not object to that at all; let them be there.

15451. Do you understand that Persian, Pali and Indian history will really be taken by Indian students and not by English students?—Sometimes they may. English students may take up Indian history, but practically they will not.

15452. Indian students may take Greek, but practically they do not?—That is so.

15453. If we have a very large range of subjects, some of which are fair to Indian education and some of which are fair to English education, you merely have the differentiation which you say you object to between the different candidates. You have a certain number of subjects for the Indian candidates and a certain number for the English candidates?—The majority of subjects are subjects of English education. It is only in respect to two or three, and what differentiation there is exists now. Some take up the arts subjects and some the scientific subjects. So that in any case there will be differentiation. Some students take up mathematics, physical science, and other subjects, while others take up political science, English composition, and so on. All I want to do is to suggest subjects which might be helpful to the Indian students and which cannot be objected to on the ground of inadequate literary culture.

15454. I see a real problem in bringing these two things into one examination?—That matter exists already.

15455. You say that the present syllabus is not fair to Indian students?—I did not put it so. I said it would be doing more justice to the Indian students if those subjects were introduced. There is no question of intentional unfairness to the Indian candidates at all; absolutely none.

15456. But it is a scheme which was evolved to meet the want of English boys, and your proposal is so to alter it that it will be fair to Indian boys too?—That is so. I think if simultaneous examinations are to be held these subjects ought to be introduced.

15457. So that we should have a differentiation. If these changes are introduced, one of the safeguards Mr. Gokhale mentioned against swamping of the service with Indian candidates would be removed, would it not?—I think the introduction of those three will not make any difference.

15458. There has been a general tendency to ask for fairer treatment in Indian education, and amongst other things it has been suggested to include the vernaculars, and you have not supported that suggestion?—I have not supported it. I am not in favour of the vernaculars being there.

15459. To that extent of course that particular safeguard you mentioned to Mr. Gokhale is weakened?—I do not know that it is very materially weakened; if it is weakened it is very infinitesimal.

15460. You have been in this political movement for the demand for simultaneous examination for a long time?—I have been.

15461. You recognize that there is a considerable body of opinion at least among Englishmen who are apprehensive of it?—I know that.

15462. And their apprehension is a very genuine and real one?—Yes.

15463. As a politician you recognize that politics are a matter sometimes of the second best?—Yes

15464. What is your second best? You recommend simultaneous examination as your first choice and I should like to know what is your second best?—We have no second best. I think it is one of those things which ought to be given to us if the Queen's Proclamation is to be fulfilled and the terms of the Charter Act are to be carried out. We have absolutely no second best. You may give it to us or not, just as you please; that is where we stand.

15465. (*Lord Ronaldshay.*) With regard to your last remark, is there anything in the present system which violates the Statute of 1833 or the Queen's Proclamation?—It does not violate, but it does not give effect to it, and I have the opinion of the India Office Committee in favour of it. The Committee was appointed in 1860 and definitely said that if the Queen's Proclamation and the Charter Act are to be given effect to, simultaneous examination is the one thing needed.

15466 But there is nothing in the present system which violates it?—No. but it does not give effect to it.

15467. With regard to the Muhammadan students at Ripon College, you told us the percentage of Muhammadan students during the last few years was 4, 7, and 10. Can you tell us what the percentage of Muhammadans among the graduates is?—I could not off-hand, but it is steadily rising.

15468. Have you no figures?—We have, but I have not consulted them; if I had known a question was to be put, I would have brought them. I can supply the figures to the Commission.

15469. I will not trouble you, as it is a small matter. With regard to the scheme for the judicial service, do you think generally that recruits from the Bar will make superior Judges to civilians?—At least as good Judges as civilians.

15470. But not necessarily better?—I cannot say with anything like emphasis, because I have no experience. Probably they will in certain matters, because they would be free from all the executive bias which Civilian Judges sometimes have.

15471. Shall we say roughly speaking that they will be equal?—At least equal.

15472. Do you think that men who have passed a certain number of years on the revenue side of the service acquire experience which is valuable to have when they come to exercise the functions of Judges?—Certainly.

15473. And members recruited from the Bar would not possess that experience?—That experience sometimes means prejudice.

15474. But you admit it is valuable experience?—Yes.

15475. If a system of simultaneous examination is instituted in this country you do not anticipate that the service would be swamped by Indians, but at the same time in answer to Mr. Gokhale you said that if the unexpected happened and the efficiency of the service was in any way affected by a large influx of Indians then you would be prepared to consider steps for putting that right?—Certainly.

15476. Have you ever considered what steps under those circumstances you would be prepared to take?—I have not, because in itself it is such an impossibility that I have never considered it.

15477. You have not thought of any scheme which you would be prepared to support?—No, but such a scheme can easily be found if necessary. British statesmanship will be equal to it.

15478. (*Mr. Bompas.*) You say you desire simultaneous examination in order to do justice to the legitimate claims of the people of India to employment in the highest services of the country, and you told Mr. Gokhale that at the base of the agitation for simultaneous examinations there was a desire for equality of status and you would be content if you got it even if it did not lead to the admission of more Indians in the Civil Service?—That is so.

15479. Is it not a fact that in the greater part of India the upper classes of Hindus have religious objections to going to England?—In Bengal that has disappeared. I am not speaking for the greater part of India, but I can speak for Bengal. Thirty years ago there was a very strong objection in Bengal, but that has disappeared, and what is true of Bengal I think must be true more or less of India.

15480. But there are very large parts of the country in which the upper classes of Hindus have religious objections?—With regard to this question the present generation has made a very strong forward movement.

15481. Supposing I am right in thinking so at present they will not get any satisfaction in being offered a system which necessitates their breaking their religious principles?—My own idea in that the feeling is getting feebler and feebler every year. The prizes are so great that the last remnants of that feeling will disappear. I do not think there will be any real objection on the part of qualified candidates to go to England.

15482. But the orthodox Hindu will not sacrifice his orthodoxy?—I think he will; he has done so in the past and he will do it again.

15483. (*Mr. Mukherji.*) In your answer to question (26), in which you were asked whether you were satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service, you say: "It is a good system, giving members of the Provincial Service an opportunity of serving in the higher posts." Do you realize that merging means that these posts have lost their identity and that some posts have only been added to the Deputy Magistrate's grade?—I did not know that. If I had known it, I should not have said it.

15484. In reply to question (64) you say that the judicial branch of the service suffers in comparison with the executive as regards pay, promotion, and so on, and that you want the two to be placed on the same footing. Do you know it would be really a case of levelling down instead of levelling up, because just now they have relatively twice the number of posts in the grades above Rs. 500, and they have a grade of Rs. 1,000 which the Deputy Magistrates have not. Surely you do not want to make them lose these?—Certainly not, but a Munsif begins at Rs. 200 and a Deputy Magistrate at Rs. 250. I think also the promotion is somewhat more rapid in the executive than in the judicial. I had those things in view when I made that statement.

15485. (*Mr. Sen.*) Do you remember to have expressed an opinion in your paper, *The Bengalee*, about the Provincial Judicial Service?—I hope you will not confront me with what I have said in *The Bengalee!*

15486. I will read to you exactly what you did say: "If there is one class of judicial officers rather than another against whom there is little or nothing to be said, it is the Munsifs and Subordinate Judges." Do you stick to that?—Entirely.

15487. Then further on you said "In India, as we all know, the class of judicial officials who inspire the greatest amount of public confidence next only to High Court Judges are the members of what is called the judicial branch of the Provincial Civil Service"?—I stick to that.

15488. You recommend that half the number of District Judges should be recruited from the Bar and the other half should be filled by members of the Civil Service and by promotion from the Provincial Judicial Service. What proportion would you give to the Provincial Judicial Service?—I am not in a position to answer that.

15489 Do not you think it desirable that a fixed number of District Judgeships should be specially reserved for members of the Provincial Judicial Service?—I should say half and half.

15490. Do you think it desirable that Subordinate Judges should nowadays be promoted to High Court Judges? -I think so.

15491. Do you know that at present there is a District Judge appointed from the Provincial Civil Service who is Officiating Judge to the High Court in Madras?—I believe there is.

15492. Are you aware that Mr. Justice Pramada Churn Banerjee of the Allahabad High Court is a member of the Provincial Judicial Service?—I remember him

15493. Also, is there not a member of the service who is second Judicial Commissioner of Oudh?—Yes.

15494. Is it not a fact that a Sub-Judge was appointed Officiating Judge at the High Court in Calcutta nearly 30 years ago?—Yes, I remember that.

15495. That was for a very short time?—About six months, I think.

15496. Do you know that under the present system of recruitment of Munsifs no one can become a Sub-Judge before he is 49 or 50?—That is so, and it is a matter of complaint amongst the Judicial Service.

15497. And that he cannot reach Rs. 500 before he is 47 or 48 years old?—Yes.

15498. So that Munsifs cannot enjoy the pay and emoluments of a Sub-Judge except for a short time?—That is so.

15499. And they have to pass the greater portion of their service in the lower grades, that is to say, from Rs. 250 to Rs. 400?—That is so.

15500. Under these circumstances is it not desirable that there should be a general revision of the salaries of Provincial Judicial Officers?—Yes.

15501. And that steps should be taken that a Munsif may become a Sub-Judge before he completes 44 or 45 years of age?—I entirely agree.

15502 Do you suggest that a time-scale system of promotion should be introduced?—I do.

15503. I do not wish to institute any comparison of the prospects of Deputy Magistrates and Munsifs, but do you know that it is a fact that if a Deputy Magistrate and a Munsif enters the service on one and the same date the Deputy Magistrate will get his Rs. 300, 400 and 500 long before the Munsif can expect to do so?—That is within my personal knowledge.

15504. And there are some special appointments reserved for Deputy Magistrates, as for instance, Settlement duty Land acquisition work, Canal inspection, Revaluation, and other work carrying special allowances?—That is so.

15505. You wish to introduce the Statutory Civil Service again?—I do.

15506. And you recommend only two-thirds of pay?—Yes.

15507. In your answer to question (47) you say: "There is a question of dignity and prestige involved in the question of salary. Indian Judges of the High Court and Indian members of the executive draw the same salaries as their European colleagues. I would have the same uniform pay fixed for the appointments whether held by covenanted Civilians or Statutory Civilians or officers of the Provincial Service, and would give to members of the Covenanted Civil Service, when they hold these appointments, a Foreign Service allowance as compensation for loss of pay." Taking those two statements together, I take it you would say that as a statutory civilian is to be recruited as soon as he finishes his university course by passing an examination, which is not as stiff as the Indian Civil Service examination, he may be appointed on two-thirds salary, while the Provincial Service man who is appointed to a District Judgeship or a District Magistrateship at a comparatively late period in his life, deserves to have the same prestige and dignity as a member of the Indian Civil Service and therefore should not get any less pay?—I think they ought to get the same pay. I do not think members of the Provincial Civil Service ought to get higher pay than the Statutory Service.

15508. But you recommend two-thirds pay for the Statutory?—Yes, and that I consider to be substantial pay for the appointment and the extra pay is to be given as allowance.

15509. When a Provincial Service man is made Judge or Magistrate, don't you think he should get the same pay as the Indian Civil Service officer?—The Indian Civil Service officer should get one-third more.

15510. Then the others get two-thirds of the pay?—That is so.

(The witness withdrew.)

[Adjourned till to-morrow at 10-30 A.M.]

At Calcutta.

Wednesday, 29th January 1913.

FIFTEENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.	ABDUR RAHIM, ESQ.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.	GOPAL KRISHNA GOKHALE, ESQ., C.I.E.
SIR THEODORE MORISON, K.C.I.E.	WALTER CULLEY MADGE, ESQ., C.I.E.
SIR VALENTINE CHIROL.	FRANK GEORGE SLY, ESQ., C.S.I.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.	JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, ESQ., I.C.S., Chairman of the Calcutta Improvement Trust.	SARODA PRASAD SEN, ESQ., Additional Sessions Judge, Sylhet. RAI BAHADUR PRIYE NATH MUKHARJI, Inspector-General of Registration, Bengal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. } *Joint Secretaries.*
R. R. SCOTT, ESQ.

HUGH LANSDOWN STEPHENSON, ESQ., I.C.S., Financial Secretary to the Government of Bengal.

Written answers relating to the Indian Civil Service.

15511. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The object of the open competitive examination is twofold; firstly, to secure that all natural-born subjects of His Majesty shall have a chance of entering the service; secondly, to obtain the best men available. The first object could not be attained by any system that included selection or nomination before the examination. Open competition has stood the test of over half a century, and its results have been thoroughly examined at intervals. The main objection to it is that success in a literary examination does not necessarily connote those qualities which are necessary for successful administration in India, but the theory on which it is based is that those qualities are to a large extent inherent in the British character and are brought out by the British system of training; any given body of British youths who have received a liberal education may be presumed as a whole to possess these qualities, and as between themselves a literary examination will tend to give weight to superior intellectual qualities. Most of the other forms of selection mentioned in question (6) were examined and rejected in 1874, and do not seem to possess any merits sufficient to counterbalance the fear that under them undue weight might be given to purely personal considerations. The objections to these systems would not be so strong if the selection was made after the open examination; but the present system has given good results in the past, and if there is any fear of a falling-off in the merits of the candidates now to be obtained, this is due not to the system but to the falling off in the comparative attraction of the Service. The best men can only be obtained, whether by competition or any other method, if good terms are offered. Any increase in the opportunities for well-paid employment in other channels must necessarily affect the recruitment of the Indian Civil Service, but if the necessity for a remedy is proved the only course is to improve the terms offered.

15512. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alterations do you recommend?—The system was not designed with a view to recruiting Natives of India, and if it were only a question of their recruitment, open competition would have many drawbacks. The system is based on the assumption that the competitors, as a whole, possess the necessary qualities for administration, and it does not provide in any way a test of those qualities. It is to this extent suitable, in that it necessitates some portion of their education and training taking place in England; but if the successful candidates ever come to consist largely of Natives of India, it would probably be possible to devise a more suitable method of recruitment.

15513. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty?—There appears to be no necessity to differentiate between other classes of natural-born subjects of His Majesty.

15514. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The advantage of the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is that it gives a wider field for recruitment. On the other hand, the attractions of the Home Civil Service appear to be greater than those of the Indian Civil Service, and there is a feeling that the best men take the Home career. In that case the combination can do no good, and may do harm to India. The combination has also led to raising the age-limit of the Indian Civil Service from 23 to 24, and the disadvantages of this, in connection with the desire for a longer period of training after the open examination, outweigh any advantages to be expected from the larger number of candidates for the combined examination. If the age-limit for the Indian Civil Service is lowered, it is probable that India would obtain all the men who now voluntarily choose an Indian career and might also get some of the men who now prefer the Home Civil Service, but who might be induced to take the earlier examination knowing that in case of failure they would still have one or two years to work up for the Home Service.

15515. (7) What is your opinion regarding a system of simultaneous examination in India and England, open in both cases to all natural-born subjects of His Majesty?—A system of simultaneous examinations is absolutely inconsistent with the accepted principles on which the Civil Service is at present based. These are that the Civil Service represents the only permanent English official element in India, and must be recruited with reference to the maintenance of English principles and methods of Government. The competitive examination in England is based on the assumption that the higher average of the educated youth in England does possess the qualities which are necessary to this end. If it were true that the average educated youth of India possess these qualities there would be no necessity to recruit a more expensive European agency, and the British Government would be conducted on British lines by a cheaper indigenous agency. But even the strongest advocates of simultaneous examinations admit that a permanent minimum of European agency is required, and they weaken the case still further by pressing for a training in England for those candidates who are successful in passing the examination in India. If a European minimum is necessary, it can only be because British characteristics acquired by heredity, education or training are considered necessary for the proper administration of India on British lines. It can hardly be hoped that these qualities can be acquired by even two years' training in England after the examination, when the probationer is at any rate over 20 and may be 22 or 23. These qualities cannot be acquired by a course of special study, but must be imbibed in the general course of education and training. At 22 or even 20 the character is too far set to be readily open to the influences which mould the British character. If therefore the necessity for a European minimum is admitted, Indian probationers selected in India cannot take the place of that European agency, even if they are given a training in England after the examination. It follows that the recruitment by the examination in India could not really be for the *corps d'élite*, but would be for posts which need not necessarily be held by European agency; if, then, Indian agency selected in India is sufficient for these posts, there can be no justification for paying more expensive rates than are necessary to obtain the best Indian candidates in India. That is to say, the posts really form part of the Provincial Service and not of the Indian Civil Service, and it would be unsound to over-recruit the more expensive agency merely to introduce an element that is only fitted to hold posts that can equally well be held by the cheaper Provincial Service. The actual result would be to create a privileged Indian Service, that is, an Indian Service with higher privileges than the Provincial Service but recruited from the same classes. Such a service would be disastrous to the morale of the Provincial Service. It is true that Indians are recruited in England into the Indian Civil Service; but it is assumed that, by reason of the conditions of the examination and of its being held in England, some part at least of their education has been obtained in England at an age when they are susceptible to surrounding influences. They are therefore assumed to have acquired the qualifications which were the aim of the devisers of the present system. At the same time this assumption is not based on such strong grounds as the assumption that the average educated youth of England does possess those qualifications, and this fact must be taken into account when estimating the necessary minimum of the European-recruited agency. The fact that Indians are eligible to compete in the open examination in England fully satisfies the requirements of the Statute of 1833 and fulfils the promises made in the Proclamation of 1858, while the Act of 1870 provides the means for reducing, when possible, the essential European minimum. As the objection taken to simultaneous examinations rests on a broad ground of principle, it is unnecessary to dilate upon the objections to the proposal in detail, which were brought out by the Public Service Commission of 1886 and in the discussions in 1893. As between Indians competition is not an ideal form of selection and is not the fairest to all races and creeds. Stress has rightly been laid on the probable injury to the cause of education in India by a local examination for the Civil Service, and of the danger of the present standard of examination being twisted to meet the requirements of Indian circumstances. The Commission of 1886 also set forth the practical difficulties in the way of holding simultaneous examinations, especially in the matter of the *vivâ voce* examination, and their arguments appear to be equally valid now.

15516. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—Though the objections taken above to simultaneous examinations in England and India would not apply in the same degree to a simultaneous examination in England and the Colonies, there does not appear to be any reason to specially favour any other portion of the Empire. The examination is designed to obtain the best products of English education; Colonial education may give good products, but they are already eligible to compete in England, and there seems no justification for going out of the way to obtain candidates who do not fulfil the conditions that the framers of the system considered to be best adapted to give India the best servants

15517. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—The proposal to fill a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India recruited by means of separate examinations in India lacks the chief merit of the proposal to hold simultaneous examinations, viz., the combined list. This list has always been regarded as essential by the advocates of simultaneous examinations, and their view is almost certainly correct, that a separate examination in India would inevitably lower the prestige and position of the Indians who entered the service by it, in comparison with the men recruited in England. A separate examination would probably mean a separate standard and separate aims and ideals, and would be incompatible with the basic principles on which recruitment for the Indian Civil Service has been founded since 1853. In a previous answer, objection was taken to the system of simultaneous examinations on the ground that the Indian Civil Service as a *corps d'élite* must be a European-recruited service, and any appointments which need not be held by European-recruited men should properly be included in the field of the Provincial Service. In the same way there would be no justification for keeping the expensive cadre of the European-recruited Civil Service above the strength necessary to fill the posts which must be held by European-recruited men, simply in order to include recruits from India who are not qualified to take the place of the European-recruited agency. In effect, the candidates so recruited even if they drew the full pay of a civilian would only be a superior privileged Provincia Service, and there is no evidence to lead to the supposition that they would come from a different class to the present Provincial Service men If the Indian Civil Service is too large for the work it must do, it should be reduced; but the proposal referred to in the question, when analysed, really means the curtailment of the field of the Provincial Service in order to provide certain of the Provincial Service class with pay which is a good deal higher than is necessary to attract them to the service of Government.

15518. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—A reference to the previous answers will show that no system for admission to the Indian Civil Service of Natives of India selected in India can be squared with the principles on which the Indian Civil Service is based. That service as a *corps d'élite* should be limited to the numbers necessary to man the offices which must be held by a European-recruited agency; there is no justification for including in it men who cannot hold these posts or for recruiting in it for posts which need not be held by such an agency. If the Natives of India recruited in India were given the same pay as civilians recruited in England, it would be an unwarrantably extravagant system. If they were not, there is no object in calling them Indian Civil Servants when in effect they are specially recruited Provincial Service men. The proposal therefore would both offend against economy and tend largely to demoralize the existing Provincial Service by depriving its best men of the opportunity of obtaining these posts which would legitimately be theirs, and the wrong would be the more felt because they would see that the fortunate probationers in the privileged service were in no essential different from themselves.

15519. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Unless there was a serious danger of failure to obtain the essential English minimum of officers owing to the large number of successful Indian candidates, no restriction should be placed on free competition of Indians in England, and if there were such a danger, the proper remedy would probably be to alter the system of examination. But on the principles enumerated in the foregoing answers, the question here asked does not arise.

15520. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Any field for which a European-recruited agency is not essential should be open to the Provincial Service.

15521. (13) Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No.

15522. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vic., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The definition was drawn for a particular purpose, viz., to include all those who might consider themselves partially disqualified from the higher branches of Government service owing to the conditions of the open examinations for the Indian Civil Service and to the fact that that examination takes place in England. For this purpose the definition seems suitable and there seems no reason to differentiate between those of European and Indian descent. There are some possible anomalies under the definition, but they are few in number and it is probable that no definition could be free from similar anomalies.

15523. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The question of the most suitable age-limits depends upon many considerations and must be decided by the balance of advantages. The choice would appear to be between a limit of 17—19 and one of 20—23. The intermediate stage with the maximum limit of 21 has twice been pronounced a failure. It has no advantages over the lower age-limit, because it does not admit of a full University course after leaving school; but it has certain disadvantages of its own. It probably would not attract the best public schoolboys, because if they did not go up for the examination from school, they would probably have embarked on a University career and would be unwilling to abandon a promising chance of obtaining University honours. At the same time neither the University nor the school authorities would look with any favour on their best students taking an examination which would not bring credit to either of them. The intermediate years between school and the examination would probably be spent at a crammer's and the credit for success would go to him. As the examination is only intended as a test *inter pares*, and the knowledge displayed is not an end in itself, there appears to be no object in encouraging a system of special preparation. Accepting the principle that the candidates wanted are those trained in the best form of English education, the first question is whether a University education forms part of the best form of English education. It unquestionably widens the view and liberalizes the sentiments of school boys, the associations inherent in it give a knowledge of men and manners, a *savoir-faire*, knowledge of the world and a more balanced judgment. Other things being equal, the University candidate is to be preferred. The next point is—which age will attract the best candidates. At the lower age, the best school boy will probably look with greater favour on an immediate University career and will be unwilling to bind himself to India until he has seen what else is open to his talents. On the other hand, the boy who is unable to go to the University or to put off starting his life's work in the hope of success in an examination in the future would be attracted by the lower age. At that age the character is not fully formed and it is more difficult for the examiners to come to a right judgment, even within the limits set by a system of open competition, as to the real attainments and qualifications of the candidates. At the higher ages, however, the successful University man finds many careers open to him, and it is understood that the usefulness of the test of University success is being more readily recognized in business, journalistic and other spheres. It is probable that many of the best men have always preferred the attractions of other careers, but in the main it is a question of relative attractions, and if really good men cannot be obtained from the Universities for the Indian Civil Service, it is a proof that the attractions of that service must be enhanced. India cannot afford to take only the second-rate, whatever the age-limit may be, and the terms of service must be regulated so as to attract at any rate a proportion of the best men. There is no reason why, even at the higher limit of age, suitable prospects should not attract a sufficient number of really good men. The third point of view is—which class of candidate will prove most suitable on arrival in India. The probationers at the lower age are more adaptable and possibly take more kindly to the training and probation necessary for some years after their arrival. On the other hand, conditions in India have changed a good deal since the age-limit was raised, and there is a greater need for maturity of judgment, a sense of responsibility and self-restraint, and less tolerance for youthful mistakes. The tendency is to enlarge the field of the Provincial Service at the expense of the Civil Service, and a reduction in the latter necessitates that each member of it from his first arrival should take a large share of the burden of responsibility. As regards health, provided the probationer does not arrive before he is 21, it does not appear that his age on arrival makes much difference. The balance of advantage, therefore, is in favour of the University candidate. In that case the age-limit must be fixed so as to allow a full University course before the open examination. At the same time such a candidate is anxious to start his career as early as possible and to ensure the possibility of drawing his annuity at as early an age as possible. The limit should, therefore, be placed only high enough to allow the full University course. A degree can be taken at 21 or, at the latest, at 22. Age-limits between 21 and 23 would appear to be best and, if it is found that the Oxford course is, as a matter of fact, finished before the age of 22, that could be taken as the limit.

15524). (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limts 21—23 or 22—24 years, followed by one year's probation)?—The higher age-limits have now been in force for 20 years, and it is difficult to institute any general comparison of the merits of the two sets of candidates which is not based on *a priori* reasoning. The general advantages and disadvantages of the two systems are discussed under other questions, and a comparison of the relative merits of senior officers who came out just before or just after the change is hardly possible.

15525. (17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Not quite so many candidates from the best schools or with the best honours come to India as used to in the earlier years of the present system. The attractions of the service would have to be considerably enhanced before India can expect to get always the very best men that appear at the combined examination, but the service does obtain an excellent class and there appears to be no general falling off in this class of recent years. It must be remembered, however, that any dissatisfaction in the service or any alterations in the attractions of the work in India take some time to reflect themselves in recruitment.

15526. (18) What is the most suitable age at which junior Civilians should arrive in India?—The question has been discussed under the heading of question (15). The balance of advantage is in favour of the arrival of junior civilians at an age between 23 and 25.

15527. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—The Public Service Commission of 1886 gave reasons for considering that lower age-limits practically debarred Natives of India from competing at the open examination, and though the Indian develops, in some respects, earlier than the European, it is undesirable that he should enter upon his responsible duties before the age of 21; in the Provincial Service, the minimum age-limit is 20 and a year's probation is necessary before the actual work is started. If it is accepted, as held in the previous answers, that the only avenue into the Indian Civil Service for Natives of India should be through the open examination in England, the age-limits for Natives of India should be the same as for other candidates. The whole theory of their recruitment into a European-recruited service is that they have had sufficient education and training in England to imbibe European qualifications; to this end they should have exactly the same opportunities as other candidates in England, and no differentiation should be made either in their favour or against them.

15528. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—The field of activity of the Indian Civil Service is so wide that no attempt to recruit specialists would be successful. The basis of the open competitive examination is that any given body of English youths who have received an English education and training may be assumed to possess the qualifications necessary for the work of the Indian Civil Service. To secure a wider field of candidates the examination must therefore be on the same lines as the ordinary English education, and any attempt to specialize it would restrict the number of candidates and possibly alter their average quality.

15529. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India," and other candidates? If so, please state them and give reasons?—No differentiation in subjects should be made between Natives of India and other candidates. The inclusion of Arabic and Sanskrit does amount to a differentiation in favour of Natives of India, but in practice very few even of the Indian candidates have taken these subjects. Any differentiation would offend against the principle already stated; the successful Indian candidates are assumed to have imbibed English characteristics through the medium of an English education in England.

15530. (23) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?

Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54.) [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—The Act of 1861 itself provides the machinery for getting over the statutory reservation of certain posts for the Indian Civil Service, and the Act of 1870 definitely waives the reservation in favour of Natives of India. The two Acts between them take away all the statutory protection conferred by the schedule. The schedule, therefore, remains merely as the enunciation of a principle or policy, and as such is a valuable guarantee which serves to assure candidates for the Indian Civil Service that their work will be of an important character and of a kind that is likely to attract the best men. The repeal of the schedule would probably be regarded with distrust by a large majority of men at present in the service, and that distrust would certainly react on recruitment, while the maintenance of the schedule will not in practice throw any obstacles in the way of wider employment of Indians. Regarding the schedule merely as the assertion of a principle, the actual posts that are included in it are not of such essential importance, provided that they are high administrative and directory posts, and from this point of view there does not appear to be any object in altering the present schedule.

15531. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might under present conditions properly be admitted?—The question was fully discussed in the Government of India letter on simultaneous examinations in 1893, and though conditions have to some extent altered since then, the principles enunciated appear to be still valid, and it does not appear to be seriously doubted that an English element is necessary in the higher services. Undoubtedly Indians have advanced since that date and have been admitted to a greater influence in the government of the country, but this influence is by no means incompatible with a maintenance of a minimum European element in the administrative and executive agency. As long as it is admitted that the Government of India is English, whatever share in directing the policy of the Government and the measures to carry out that policy may be given to Indians, England remains responsible for the conduct of the public services, and to take one point of detail only, for holding the balance even between the races and creeds of India. The progress of India is based on British methods of administration and British ideals, and to refuse the principle of a British minimum element in the higher posts of civil administration would be an admission that India is capable of and entitled to complete self-government, a question which need not be discussed here, but which has been answered in the negative by the highest parliamentary authority. Granting the necessity of a European minimum, it does not appear that any question of *proportion* can logically arise. In the discussions which ended in the statutory rules of 1879, and those which followed the Public Service Commission of 1886, a proportion of one-sixth which included inferior posts was declared to be the maximum extent to which Indians could be admitted to the posts then held by the Indian Civil Service, and in 1884 Lord Ripon's Government were of opinion that 18 per cent. only of those posts could be opened to Indians, whether recruited in India or in England. But this method of reckoning is only a rough one and does not appear to be based on a logical foundation. Theoretically the posts in the Indian Civil Service cadre are restricted to those posts which, in the interest of British administration, must be held by a European agency or at least by a European-recruited agency; if some of the posts now included in the cadre can be safely held by Indians recruited in India, they should be excluded from the Indian Civil Service cadre; but in the nature of things, in deciding what posts can be excluded, no regard can be had to proportions. It depends on the nature of the posts and the work to be done in them, and not, except in a very slight degree, on the number of other posts in each province or in the whole of India which must be held by a European-recruited agency. The figure of one-sixth taken in 1879 and by the Public Service Commission in 1886 was merely a rough working estimate of the extent to which the European recruited agency could be reduced. The only case in which a proportion could be fixed would be in the case of the lower administrative posts which need not necessarily be held by a European-recruited agency, but in which as a whole a leaven of European-recruited agency is desirable or necessary in order to keep the standard of efficiency. As regards Natives of India recruited in England, they are assumed to be European-trained agency, and no question of fixing a proportion need arise unless there is a serious danger of Indian candidates recruited in England ousting European candidates who are in a more thorough sense European trained.

15532. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25, Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—The present system is a workable one and is suited to present requirements. In essence the difference is not merely one of place of recruitment but of the nature of the posts for which recruitment is made. The Acts of 1861 and 1870 provide machinery for the recognition of exceptional men, but the general system must be based upon average qualifications.

15533. (26) Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary?—

No.	NAME.	Year in which admitted to the Indian Civil Service.	PRESENT POST.			Present salary.			
			Substantive appointment.	Officiating appointment.	Station.		Rs.	A.	P.
1	Mr. Arthur Goodeve.	1886 ...	District and Sessions Judge, 2nd grade.	District and Sessions Judge, 1st grade.	Burdwan ...	Pay A. A. Total	2,500 500 3,000	0 0 0	0 0 0
2	Mr. Lokendra Nath Palit.	1886 ...	Joint Magistrate and Deputy Collector, 1st grade.	District and Sessions Judge, 3rd grade.	Bankura ...	Pay A. A. Total	900 733 1,633	0 5 5	0 4 4
3	Mr. Muhammad Yusuf.	1892 ...	District and Sessions Judge, 2nd grade.	......	Rangpur ...	Pay	2,500	0	0
4	Mr. Satis Ch. Mukerjee.	1892 ...	Magistrate and Collector, 1st grade.	......	Nadia ...	Pay	2,250	0	0
5	Mr. Kiran Ch. De.	1893 ...	Magistrate and Collector, 2nd grade.	Magistrate and Collector, 1st grade.	Rangpur ...	Pay A. A. Total	1,800 450 2,250	0 0 0	0 0 0
6	Mr. Jnanendra Nath Gupta.	1893 ...	Ditto ...	Ditto ...	(Special duty)	Pay A. A. Total	1,800 450 2,250	0 0 0	0 0 0
7	Mr. Satyendra Ch. Mallik.	1897 ...	District and Sessions Judge, 3rd grade.	......	Nadia ...	Pay	2,000	0	0
8	Mr. Joseph Vas	1898 ...	Magistrate and Collector, 3rd grade.	Magistrate and Collector, 2nd grade.	Malda ...	Pay A. A Total	1,500 300 1,800	0 0 0	0 0 0
9	Mr. Gyanendra Nath Roy.	1898 ...	Substantive *pro-tempore* District and Sessions Judge.	......	(On leave) ...	Pay	2,000	0	0
10	Mr. Sharat K. Ghosh.	1903 ...	Joint Magistrate and Deputy Collector, 2nd grade.	District and Sessions Judge, 3rd grade.	(Additional District and Sessions Judge.) Bakarganj.	Pay A. A. Total	700 866 1,566	0 10 10	0 8 8
11	Mr. Mahim Ch. Ghosh.	1904 ...	Ditto ...	Ditto ...	(Additional District and Sessions Judge.) Mymensingh.	Pay A. A. Total	700 866 1,566	0 10 10	0 8 8
12	Mr. Guru Saday Dutt.	1905 ...	Ditto ...	Ditto ...	Pabna and Bogra.	Pay A. A. Total	700 866 1,566	0 10 10	0 8 8

No.	NAME.	Year in which admitted to the Indian Civil Service.	PRESENT POST.			Present salary.			
			Substantive appointment.	Officiating appointment.	Station.		Rs.	A.	P.
13	Mr. Probodh Ch. De.	1908 ...	Assistant Magistrate and Collector.	Joint Magistrate and Deputy Collector, 2nd grade.	Kishorganj, Mymensingh (Subdivisional Officer).	Pay A. A. Total	500 200 700	0 0 0	0 0 0
14	Mr. Benegal Narsingha Rao.	1910 ...	Ditto ...	......	Chandpur, Tippera (Subdivisional Officer).	Pay	500	0	0

15534. (27) Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?—The Natives of India who belong to the Indian Civil Service are on the average distinctly inferior to the European officers of the Indian Civil Service in force of character and initiative. Their nationality would prove a great disadvantage to them in administrative charges where they would come into contact with a large non-official European community or where there is widespread racial tension or unrest. For these reasons it is not usual to employ Natives of India, even though members of the Indian Civil Service, in the heaviest district charges where personality and power of control count for very much.

15535. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—The statutory system was condemned both by Government and by educated Indian opinion, and it is unnecessary to discuss the reasons for its failure more fully than was done at the time of the previous Public Service Commission. The only point for consideration is whether there is any class of Indian who could be available and suitable for what are called the listed posts but who are deterred from public service by the long apprenticeship necessary in the Provincial Service. Some training must admittedly be necessary; the Indian Civilian under present circumstances has eight years' training. There is at present one Provincial Service man holding a post which ranks with District Magistrates after nine years' service, and it might be possible to reduce the length of training in the Provincial Service by refusing to regard the listed posts as in any degree seniority posts. There would then appear to be no reason why anyone should object to undergo his training in the Provincial Service, and it has been held in all the discussions on the subject that there is no class which would be available for recruitment for "listed posts" after the necessary suitable training, which is not at present available for recruitment into the Provincial Service.

15536. (29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (a) military officers and (b) others; and give details of the latter?—There are no such officers in this province.

15537. (31) If the system of recruiting military officers in India has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—The object of such a system is either to expand the Civil Service in time of stress or to provide officers who have had a special training to provide special requirements. The present circumstances of the province do not require any such assistance to the ordinary Civil Service.

15538. (33) Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—Yes; they are in accordance with the decision of the Government of India on the reconstitution of the province in April last.

15539. (34) Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons?—The listed posts have ordinarily and regularly been filled by Natives of India, except the Under-Secretaryship to Government. The Junior Secretaryship to the Board in Bengal proper was so filled from 1905 to 1910 when both the members of the Board recorded their joint experience to the effect that the member has never got efficient assistance from a Secretary taken from the Provincial Service. The member in charge had then had four years' experience of such a Secretary, and strongly pressed for the appointment of a Civilian. The appointment of Junior Secretary will, it is expected, shortly be abolished, and the officer holding that appointment is now practically doing the work of Deputy Secretary to Government. No suitable officer has been found in the Provincial Service to hold the appointment of Under-Secretary. With a view of training officers of the Provincial Civil Service in Secretariat work and of making them better fitted to hold posts such as those of Personal Assistants to Commissioners, in which a knowledge of Secretariat procedure is very useful, a scheme was started two years ago by which two or three junior Provincial Service officers are employed for five months each cold weather as Assistant Secretaries in the Secretariat departments. Although it has not been found possible to appoint an officer of the Provincial Civil Service to an Under-Secretaryship, which is an inferior post, officers of this service have been employed in superior posts connected with the general administration in excess of those which have been declared as listed, as will appear from the appended statement which relates to the past three years:—

BENGAL.

Holders of listed posts during the year 1909 to 1911.

	NAME.	Substantive appointment.	Officiating or temporary appointment.	DATE.	
				From—	To—
Statutory ...	Barada Charan Mitra ...	District and Sessions Judge.	......	1st May 1900* ...	Still a Judge.
Provincial Civil Service.	Rai Jogendra Nath Ghosh Bahadur.	Ditto	......	19th June 1905* ...	27th September 1909.
Ditto	Soshi Bhusan Chaudhuri.	Ditto	......	21st December 1905*	4th July 1910.
Ditto	Tej Chandra Mukherji	Ditto	......	22nd December 1908*	Retired from Bihar and Orissa.
Ditto	Jogendra Nath Mitra ...	Ditto	......	27th September 1909.*	5th April 1910.
Ditto	Rajendra Nath Dutta	Ditto	......	4th July 1910* ...	Still a District and Sessions Judge.
Ditto	Ram Lall Dutta ...	Ditto	......	16th March 1911* ...	Still a Judge in Bihar and Orissa.
Ditto	Jogendra Nath Mukherji.	......	Officiating District and Sessions Judge.	30th October 1909	24th January 1910.
Ditto	Pankaj Kumar Chatterji.	......	Ditto	2nd January 1908 ... 5th June 1911 ... 25th October 1911	14th July 1908. ...... 22nd September 1911.
Statutory ...	Surja Kumar Agasti ...	Magistrate and Collector.	......	5th February 1898*	24th February 1912.
Ditto ...	Ahshanuddin Ahmad ..	Ditto ...	......	15th December 1899*	......
Provincial Civil Service.	Ramendra Krishna Deb	Ditto ...	......	1st April 1902* ...	Still in service.
Ditto ...	Krisanji Anant Shirole	......	Officiating Deputy Commissioner.	4th June 1909 ...	18th June 1909.
Ditto ...	Jatindra Nath Gupta ...	......	Ditto ...	2nd June 1910 ...	13th July 1910.
Ditto ...	W. H. Thomson ...	......	Ditto ...	9th October 1911...	8th November 1911.
Ditto ...	Sarat Chandra Chatterji	......	Ditto ...	7th May 1911 ...	16th June 1911.
Ditto ...	Srigopal Bhattacharji...	......	Sub. *pro tem.* Magistrate and Collector, 3rd grade. Joint Secretary to Board.	30th October 1908...	17th October 1910.
Ditto ...	Ramballabh Misra ...	......	Sub. *pro tem.* Magistrate and Collector. Officiating Magistrate and Collector.	Ditto ... 27th January 1912...	17th April 1910. Still acting in Bihar and Orissa.

* Date of substantive appointment.

BENGAL—*concluded.*

Holders of listed posts during the years 1909 to 1911—concluded.

	NAME.	Substantive appointment.	Officiating or temporary appointment.	DATE.	
				From—	To-
Provincial Civil Service.	Atal Behari Maitra ...	......	Officiating Magistrate and Collector.	12th October 1908 ... 2nd February 1909	27th October 1908. 8th March 1909.
Ditto ...	Hemendra Lal Khastagir	......	Ditto ...	9th September 1909	30th October 1909.
Ditto ...	Ramsaday Chatterji ...	......	Ditto ...	8th July 1909 ...	24th November 1909.
Ditto ..	Manomohan Ray ..	......	Ditto	27th September 1909 16th May 1910 ... 20th October 1910...	17th October 1909. 16th June 1910. 14th December 1910.
Ditto ...	Rowland Chandra ...	......	Ditto	21st September 1909 17th November 1909	12th October 1909. 21st November 1909.
Diito ...	Saiyed Zakir Hosain ...	......	Ditto	1st October 1909 ... 7th September 1910	18th October 1909.
Ditto ...	Mukunda Deb Mukherji	......	Ditto	20th May 1910 ... 18th May 1911 ... 27th June 1911 ...	3rd June 1910. 5th June 1911. 14th July 1911.
Ditto ...	Kumud Nath Mukherji	......	Ditto ...	6th September 1910	24th November 1910.
Ditto ...	Jotish Chandra Sen ...	......	Ditto ...	14th September 1910	8th October 1910.
Ditto ...	Nogendra Nath Gupta	......	Ditto ..	18th September 1910	Ditto.
Ditto ...	Hasmat Hossain ...	......	Ditto ...	1st October 1910 ...	Ditto.
Ditto ...	A. W. Warde Jones ...	......	Ditto ...	23rd September 1911	26th September 1911.
Ditto ...	Khondkar Fazlul Haq	......	Ditto ...	27th September 1911	23rd October 1911.
Ditto ...	Muhammad Habib-ullah	......	Ditto ...	27th June 1911 ...	4th August 1911.
Ditto ...	Krishna Kali Mukherji	......	Ditto ...	15th September 1911	28th September 1911.

EASTERN BENGAL AND ASSAM.

Holders of listed posts during the years 1909 to 1911.

	NAME.	Substantive appointment.	Officiating or temporary appointment.	DATE.	
				From—	To—
Statutory ..	Saiyed Nurul Huda ...	District and Sessions Judge.	......	15th December 1899	31st December 1912.
Provincial Civil Service.	Abdul Majid ...	Ditto ...	......	21st July 1907 ...	Still a Judge.
Ditto ...	Gopal Ch. Biswas ...	......	Officiating District and Sessions Judge.	7th December 1908. 23rd April 1909. 26th July 1909.	
Ditto ...	Pran Krishna Banerji	......	Ditto	22nd August 1909. 22nd February 1910. 19th June 1910.	
Ditto ...	Raj Krishna Banerji ...	District and Sessions Judge.	Ditto	15th November 1909. 18th April 1910 ... 15th July 1910 ... 4th November 1910. 16th December 1910. 31st July 1911.	8th December 1909. 3rd June 1910. 24th August 1910.
Ditto ...	Sarada Prosad Sen ...	......	Ditto	23rd March 1911. 23rd June 1911 .... 28th October 1911 ..	16th July 1911. 23rd December 1911.
Ditto ...	Ali Ahmad ...	......	Ditto	5th June 1911. 28th July 1911.	
Ditto ...	Muhammad Azhar ...	......	Officiating Deputy Commissioner.	7th March 1909.	
Ditto ...	Umesh Chandra Sen ...	......	Officiating Magistrate and Collector.	3rd September 1909	15th October 1909.
Ditto ...	Nabin Chandra Das ...	......	Ditto ...	19th September 1909.	

EASTERN BENGAL AND ASSAM—*concluded.*

Holders of listed posts during the years 1909 to 1911.—concluded.

	NAME.	Substantive appointment.	Officiating or temporary appointment.	DATE.	
				From	To
Provincial Civil Service.	F. M. Clifford ...	......	Officiating Magistrate and Collector. Officiating Deputy Commissioner.	10th October 1909. 19th January 1910.	
Ditto ...	Khirod Ch. Sen ...	......	Officiating Magistrate and Collector.	10th November 1909 18th March 1910 ... 24th September 1910	12th November 1909. 6th April 1910. 8th October 1910.
Ditto ...	Rajani Kanta Bardolai	......	Officiating Deputy Commissioner.	22nd March 1910 ...	15th April 1910.
Ditto ...	Jatindra Nath Ray ...	......	Officiating Magistrate and Collector.	8th August 1910 .. 24th September 1910 6th May 1911 ...	25th August 1910. 24th December 1910. Still acting (seconded).
Ditto ...	Ganga Charan Chatterji	......	Ditto	17th July 1910 ... 7th May 1911 ...	12th November 1910. Still acting.

15540. (35) To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service;—(*b* by other "Natives of India"? Please give the names and positions of the latter, if any?—All the listed posts have been held by members of the Provincial Civil Service, except that of Under-Secretary to Government. The Native of India holding this post was previously Registrar of the Financial Department of the Government of Bengal.

15541. (36) Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?—Except in the case of the Under-Secretary mentioned above, the power to appoint Natives of India other than members of the Provincial Civil Service has not been used. The reason is that training in the Provincial Civil Service affords the most ready method of proving merit and ability, and as no reluctance to enter that service has been experienced it has not been found necessary to look outside that service. The power should be retained to provide for exceptional cases, but it is unlikely to be much utilized because a training in the actual work of administration, is necessary before appointment to a superior listed post, and there are very few spheres outside the Provincial Service where the merit and ability which would declare a man fit for a superior administrative post, are likely to be proved This might be possible in the case of Secretariat appointments, but the incumbent would be of little use unless he had some experience of the actual working of district administration.

15542. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what adantages, if any, does this arrangement possess?—This system has practically been abrogated by the system of recruitment for the Civil Service finally adopted in 1906. The Public Service Commission suggested that one-sixth of the appointments as Joint and Assistant Magistrates should be listed, or rather should be excluded from the schedule and amalgamated with the Provincial Service. Eight such appointments were listed in Bengal, the Assistant Magistrateships were amalgamated in the grades at once and the Jointships as soon as the claims of Civilians recruited prior to the introduction of the new system had been satisfied. The separate designations of Joint Masgitrate and Assistant Magistrate were not maintained, because it was held that there was no object in giving a separate name to particular officers who did not differ in any way from their fellows in the service; on obtaining grade promotion they would have to give up the name and the maintenance of the designation would encourage the idea, first that the holders had some vested right to appointment to the listed posts above their fellows, and secondly that it was necessary for an officer to go through all the inferior listed posts before he was eligible for appointment to a superior post. The amalgamation did not give satisfaction to the public, because the position was not understood. At present there can be no meaning in an inferior listed post. The Civil Servce is recruited to fill certain superior posts; the ordinary field of employment of the Provincial Service is the upper inferior posts. The Civil Service only trenches on this field so far as is necessary to provide training for officers of the Indian Civil Service before they attain the superior posts. On the one hand this training cannot be dispensed with; on the other, the number of inferior posts to be held by these officers must depend on the number of superior posts for which they are being trained, and the number cannot be increased beyond the proper ratio without causing a block in the Civil Service. They do not hold the inferior posts, therefore, because a European-recruited agency is necessary for them but only for the purposes of training. The junior officer of the Indian Civil Service when in training does work the same in kind (though possibly differing in degree) as is done by officers of the Provincial Service, and the retention of the posts of Joint and Assistant Magistrates in the schedule is a question of nomenclature. There are, therefore, now no special inferior posts reserved to the Civil Service which can be listed as open to the Provincial Service; and there can be no choice whether the inferior posts shall be amalgamated with the Provincial Service, because they already belong to the Provincial Service and are only occupied by civilians for the purposes of training. The Under-Secretaryship is a special inferior appointment and has never been amalgamated with the Provincial Service.

15543. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—This question opens a discussion on the whole subject of the listed-post system. The object of the Statutory service was to admit Indians recruited in India by a backdoor to posts for which it had hitherto been held that a European-recruited agency was necessary. This system failed for reasons which need not be discussed, and the Public Service Commission of 1886 decided to close the backdoor and to place the Provincial Service on a sound footing, as the service to hold all posts for which an indigenous agency recruited in India was suitable. To enlarge the scope of this service and to increase its prospects and improve its morale, the Commission wished to exclude from the schedule certain appointments and amalgamate them with the Provincial Service. But the Commission made the mistake of assuming that it was possible to exclude proportions of classes of posts mentioned in the schedule. The Secretary of State pointed out that this assumption struck at the whole basis on which the Civil Service was founded. The Civil Service as a *corps d'élite* is recruited to fill certain high posts, because in the interests of British administration these posts must be filled by a European-recruited agency. If a given class of appointment need not necessarily be held by a European-recruited service, it can be excluded from the schedule, though it will still be necessary to recruit from Europe to fill some of the class in order to maintain its efficiency at a high pitch and keep the standard of ideals up to the English level. But if a class of posts is held to demand a European-recruited service, it cannot be said that members of the Provincial Service as a class have the qualifications necessary to hold any proportion of this class of posts. Exceptional individuals may possess these or equivalent qualifications, and may be properly appointed to hold posts within the reserved classes, but the listed posts, as a whole, must have reference to the best of the average abilities of the Provincial Service. Though the Secretary of State clearly emphasized this position and declined on that ground to alter the schedule, the removal of the restriction in respect of a certain number of posts was still adopted as a rough working basis, and has come to be regarded in many quarters as the essential basis of the system. In effect, what has been done is that the appointments of Magistrate-Collectors reserved in the schedule have been divided into two classes—Magistrate-Collectors of ordinary districts and Magistrate-Collectors of light districts—and it has been held that the latter need not be reserved for a European-trained agency, though it is still necessary to recruit from Europe for a proportion of them so that all in turn may be held by the European service, and the working and efficiency of all districts may be co-ordinated to the English standard. This system is logical and admits of an increasing sphere of higher employment for Indian agency. But it cannot be based on any considerations of proportions; the number of such posts must depend on the number of light districts or whatever other class of post it is considered can safely be held by Indians, and on the general consideration whether European control can be further restricted without the risk of impairing unduly the English ideals of administration, the character and standard of Government and the agency for maintaining law and order in times of inter-racial strife or other forms of unrest, but it can have no reference to the number of posts in the province: or in India as a whole, which must be held by a European recruited service. The use of proportions, even as a rough working guide, only serves to obscure the essential difference between the Indian and Provincial Civil Services. Subject to the recognition of this fact, the class of posts listed is suitable; the number of appointments falling within the class that can be listed should be revised from time to time with reference to the conditions of each province, and with the intention of including within the sphere of the Provincial Service as many appointments as can safely be held by the indigenous agency.

15544. (39) Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—The officers of the Provincial Civil Service who have been selected to fill district listed posts have usually been men who have succeeded in the charge of subdivisions, which are in many ways independent charges, but, in many cases, they appear to lack the breadth of view and resourcefulness that are necessary for the charge of districts, and they do not compare favourably with civilian Joint-Magistrates who are generally posted to similar light districts as their first charge. They are often relatively deficient in force and strength of character, and as a rule are unwilling to take responsibility. They are open to great pressure from influences which would not be brought to bear on an Indian Civil Service officer in like position, and the Indian Civil Service officer has the advantage of the qualities he owes to his training and of the prestige and traditions of his service. It has not been found possible or expedient to employ officers of the Provincial Civil Service in all branches of the administration. It has not been considered safe or fair to appoint such officers to districts where there are special difficulties of administration, or where there is acute racial feeling, or which contain a large European community. In departments where great driving power is required or work is carried on at very high pressure, *e.g.*, the Settlement Department, Indian Civil Service control has always been found essential, and the same has been the case in departments where a large staff of Europeans is employed or in branches of the administration which are concerned with important questions of policy. Provincial Service officers have not been found suitable for the Secretariat; they lack a sense of proportion and the power of clear expression. These are defects, however, which may be remedied by training, and it is hoped that the system of training in the Secretariat recently inaugurated will succeed in providing efficient Under-Secretaries.

15545. (40) Please now turn to the Indian Civil Service Act, 1861 (24 and 25 Vic., cap. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—None.

15546. (41) Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts?—No.

15547. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The choice offered in this question is apparently between sending a candidate out to a district as soon as he has passed the open examination and giving him some form of probation before he goes. If the candidate is selected merely for his general education, it is necessary that he should have some grounding in subjects of special importance and interest to his future work; such a grounding he would find it difficult to acquire once he has started on his district training, and it is therefore desirable that he should have a probationer's course for this purpose before he enters on district work.

15548. (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The importance of a training in law in England has been for some years recognized, and it has been held that such a training cannot be acquired in the course of one year. Two years was the period originally favoured by the Committee appointed after the Act of 1853 and was the period in force from 1866 to 1892. With the low age-limit there is no difficulty in providing for a two years' course, but with the higher age-limit at present in force the difficulty arises that it is undesirable to retard unduly the age of arrival in India, and that probationers of 23 or more wish to commence their life's work as soon as possible without spending longer than is absolutely necessary before they begin their pensionable service and course of training in India. The necessity for a thorough grounding in law is, however, paramount, and as it has been held by Sir H. Maine and all subsequent authorities that this grounding cannot be acquired in one year, the probationer's course should be extended to two years.

15549. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—The system of giving allowances to probationers only if their course of probation was spent at an approved University was inaugurated partly in consequence of the evil effects of leaving probationers to shift for themselves as separate units for the two years of probation, but chiefly in order to secure for them the advantages of association and the wider intercourse of University life. With the present age-limits the dangers of the former system are lessened, and a large number of probationers have already had a University career, and these would in most cases wish to spend their probation at their own University. For the remainder two years or even one year at a University, and more especially at a residential University, can only be of advantage, provided always that it does not interfere with their proper training in law.

15550. (46) If so, do you advise the selection of one or more Universities for this purpose, and for what reasons?—The present condition precedent to the approval of a University as a place where the probationary period may be spent is that moral responsibility for the conduct of the students is undertaken and rules of discipline are enforced. Provided that the Universities give facilities for the special training required, it does not seem necessary or feasible to carry selection any further, though it would be desirable that probationers who had not already taken a course at a residential University should be encouraged to go to one.

15551. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—The grant of allowances is based on the previous practice of giving probationers allowances when their training was conducted in India. The grant of allowances is justified by the fact that their training is to fit them for their special work in India. Probably the majority of men at the age of 23 expect to be able to keep themselves and very many of them are unable to continue a course of studies at the expense of their parents. To require two years' probation without allowances would seriously detract from the prospects of the service, and would tend either to diminish the field of candidates restricting them to men who are comparatively well off, or to send probationers out to India with a load of debt incurred during these two years. The scale of allowances should be sufficient to prevent the probationer continuing a burden on his parents. If residence at a University is required, the allowances should certainly not be less than £200 a year. When the age was first raised the allowances were £100, which was barely sufficient for the outfit and the passage to India; it has now been raised to

£150, and a special grant of £37-10 has recently been given for passage to India. The allowance should be raised to at least £200 a year, and in lieu of the special grant, a free first-class passage to India should be provided.

15552. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—Lord Macaulay's Committee considered that Haileybury was unsuitable as a college for men who had been through the University, and were unable to see how any special college would adequately fit in with the necessary training in law. The question of a special college was again considered and rejected in 1874. Such an institution would not now have the advantage of the tradition and associations of Haileybury and would have to stand on its own merits. Its one possible advantage would be the encouragement of an *esprit de corps*; but as its interests would tend to be confined, its influence would be narrowing rather than widening, and the probationers would lack the advantages of association with men of their own age and position whose interests are directed to other spheres in life. There seems to be no justification for a separate institution when the universities are willing to do the necessary work and offer other advantages in addition.

15553. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education, and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a university course?—The principle laid down by Lord Macaulay's Committee is sound. The continuance of a general education after selection as probationer was possibly necessary under the old system of nomination in order to ensure that the nominees were possessed of a liberal education before they started work in India. But it is incompatible with the system of open competition, and it does not appear justifiable to give probationers a general education at the expense of India when the examination itself provides a means for ensuring that the probationers shall have been liberally educated. The probationer's studies should therefore be such as have a special tendency to fit him for his calling. This applies equally to candidates passing under either age-limit. If the general education is not properly finished when a boy leaves school, and a University course is considered an essential part of that education, the age limits and the conditions of the examination should be such as to exclude the unfinished product.

15554. (51) Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—Changes in the law training are at present under consideration of the Government of India and the Secretary of State, which will involve the lengthening of the probation course to two years. If these are carried out, there should be time also for a study of Indian History and Geography and a grounding in the vernacular, and it is desirable to add some training in accounts and trade economics such as will enable the probationers to understand the broad facts of financial and trade problems.

15555. (52) In particular, please state your opinion as to the desirability, during the period of probation, of (*i*) compulsory attendance at Law Courts in England and reporting of cases; (*ii*) the teaching of Indian Law in addition to the general problems of jurisprudence; (*iii*) the teaching of the grammar and text-books of Indian languages, with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.—(*i*) Is necessary. (*ii*) Is not essential. (*iii*) The grammar and the script of the vernacular should be taught during the probation in England; the colloquial instruction would probably be more profitably undertaken on arrival in India. (*iv*) A two years' probation would give time for study of accounts and the broader aspects of political economy. Geography would naturally be associated with the teaching of Indian History. Instruction in these subjects would prove of much benefit to probationers.

15556. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—The probationary course should be spent in England. The course must include training in the principles of law and careful grounding in the grammar of vernacular languages. Tuition in History, Geography, Accounts and Political Economy is also desirable. In respect of all these subjects the instructors available in England are at least as efficient as those obtainable in India. It is, moreover, to the very great advantage of probationers that they should spend this period in the climate of England and among social surroundings which develop character and teach refinement and breadth of view.

15557. (54) What is your opinion of a proposal to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—Such a central college could not take the place of training in actual district work, and would probably do very little towards shortening the period of such training. It could only, therefore, take the place of the probationary training in England, and as stated in answer to the last question, it is better that the training should be undertaken in England. The only subject which could be better taught at such a college in India would be the vernacular colloquial; it seems likely, however, that by the time an officer has been for six months in a subdivision or on settlement work or other duties which involve personal contact with all classes of people in the interior, it would make exceedingly little difference to his colloquial knowledge of the vernacular whether he had been trained at home or at such a college in India. This college would not afford the advantages of life at an English University, and there might be some danger that close association in one place of probationers who had not had any actual experience of their work and with no outside interests to rub against, might result in a narrowness of views and development of prejudices. In any case, the difference in the circumstances of the various provinces and in the requirements of the several services recruited in England is so great that any attempt at uniformity of teaching at a central institution in India might be actually harmful. The system under which officers of the Indian Police undergo a course of training in India as probationers has no doubt proved successful, but tuition in drill and discipline is an important element in the training of these officers, which is necessarily directed along much narrower lines than that of officers of the Indian Civil Service.

15558. (55) What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—If this proposal is intended to take the place of training at home, the course of instruction must be continuous and the proposal is on the lines of a central college for each province, and it is open to the same objections as a central college for all India, intensified possibly by the fact that the number of probationers would be fewer. There might be some advantage if the course could be combined with district training, but the difficulties in the way of this are great, and it would probably be impossible to obtain adequate teaching outside the presidency towns.

15559. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—The training in the principles of law could not be as well given in India, and attendance at Indian Courts would certainly not serve the purpose of attendance at the law courts in England. It might probably be possible to get good teachers in Oriental languages in a suitable scheme of instruction in India, but there would be some danger that the grounding in grammar, etc., would be put aside in favour of a rapid acquisition of colloquial knowledge, which could be put to immediate use. The climatic and social disadvantages would still remain.

15560. (59) Do you consider that any differentiation is necessary during the period of probation, between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—As regards Natives of India who have entered the service by open competition in England, there appears to be no reason for differentiating them in any way from the probationers, except that they need not be required to pass an examination in their own vernaculars.

15561. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Junior Civilians are sent to selected Collectors to be trained in the actual work of a district; they are put through the various departments and familiarized with the working of every branch of district administration. They have to report six defended cases tried in the Court of a first-class Magistrate and six cases at the Sessions, and they must undergo a six weeks' training in the treasury. They have to spend also three or four months in a settlement camp. This system of training prepares them to hold charge of a subdivision, and subdivisional work is the most valuable part of their training for higher office. Putting aside the question of the training of judicial officers, the present arrangements for training junior Civilians after their arrival in India appear to be suitable.

15562. (61) Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—The rules for departmental examinations were revised in 1909, and slight changes have been made since. No further suggestions for their improvement need be made at present.

15562. (62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—It is generally admitted that the knowledge of Indian languages possessed by members of the Indian Civil Service is, on the whole, less now than it used to be; but there is no reason to suppose that the colloquial knowledge of junior officers, at the stage when they are in charge of subdivisions, has deteriorated. In subdivisions a knowledge of the colloquial is absolutely necessary and is acquired; after that stage most of a Magistrate's work is done in English, most of his visitors and the Indians he is brought into contact with speak English, and his only opportunity of keeping up his knowledge of the vernacular is during his tours, which are necessarily intermittent. The excessive work demanded of a District Magistrate leaves but little time for study, and it is possible that in his one year's training in England he has not acquired as much grounding in the language as his predecessors did in two, and owing to his higher age on arrival in India the junior Civilian may be disinclined to go more deeply into the study of the language than is necessary for his immediate work. The first essential for an improvement in proficiency is leisure; time to study the language and read its literature, and time to spend in the interior of the district in contact with the people, so that the knowledge of the colloquial acquired in earlier years may not rust. Under modern conditions work in a district gets heavier and more engrossing. The only feasible course appears to be to provide encouragement for the study wherever it is possible to make sufficient leisure for it. This has now been done under the rules for the encouragement of the study of Oriental languages.

15564. (63) Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—The Government of Bengal took up the question in 1908 and suggested that study leave might be granted to Civilians, that the rewards for passing should be increased, that the limits of service for each examination should be raised, and that an intermediate examination, the Proficiency, below the High Proficiency, should be instituted. All these proposals have recently been accepted by the Government of India, and no further alterations seem necessary until their effect is seen.

15565. (68) Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—All probationers who enter the service by the open competition in England are assumed to have the same qualifications. As they also have the same work to be trained for, there seems to be no reason to differentiate between them in regard to the system of training.

15566. (70) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—The answer to question (68) covers this point.

15567. (72) The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating, with practical permanency, in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The system is suitable for the present constitution of the Civil Service. The period of 8 years was accepted by the Government of India in 1898. It was stated that when the basis of recruitment was fixed in 1882, it was considered that an officer in Northern India should attain the permanent officiating charge of a district in from 10 to 12 years after entering the service, or at from 31 to 33 years of age. As the average age of arrival in India in 1898 was 24, the Government of India agreed to reduce the period of training so that an officer could obtain practically permanently officiating charge of a district at the same age as was considered suitable in 1882, the reduction in the period of training being compensated for by the greater maturity of officers on arrival in India. The age of arrival at present is still higher and might, on the same principles, be held to justify a still further reduction in the period of training. In order to attract the best men to the service, it is undesirable to prolong the period beyond what is necessary for training. It takes from 18 months to 2 years to pass the departmental examinations and to acquire a preliminary knowledge of subdivisional work; thereafter 3 to 4 years should be passed in a subdivision, and the remaining 2 years are passed in temporary acting appointments, special employment and work as a Joint at head-quarters. It might be possible to reduce the period by 1 year, but it must be remembered that any extension of the field of employment of the Provincial Service or other Indian agency must reduce the number of the lighter charges, officiating employment in which has hitherto served as the final training ground of the Indian Civilians. If the age of recruitment were lowered by 1 year, there would not be any material difference in the maturity of officers on arrival, and the lowering of the limit would probably be with the special object of increasing the period of probation in England. If the age-limits were lowered to 17—19, with 2 years' probation, it would probably be advisable to fix the age of attainment to a superior post at about 30, that is, after 9 years' service, the additional year being spent as Joint or in temporary acting vacancies.

15568. (73) It is also part of the existing system that officers of over 2 but under 8 years' completed service should fill, with practical permanency in the ordinary course of promotion, charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The arrangements for junior officers must depend on the decision arrived at as to the suitable period of service before attaining practically permanently to superior posts. The maximum limit of salary must depend on the minimum limit taken for superior posts, but the limit of salary in either case is not of the essence of the system, but it is merely a rough guide.

15569. (74) Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so, what, has been caused thereby to the Administration?—The statement is annexed. The 1st of April was adopted by the Government of India in 1910 as being the most suitable date to take as exhibiting the permanent position which officers have reached. In the first three years of the quinquennium there was a block in promotion, but in 1911 the promotion was rapid. The explanation is partially to be found in the fact that on 1st April 1909 only 4 officers above 8 years' service but not of permanent superior rank were on leave; in 1911—12 such officers were on leave or deputation; had these officers been on duty, there would have been no excess in 1911, and had the figures been the same as in 1909 the excess would only have been 4. Only 2 out of the 14 excess officers had less than 6 years' completed training, and no special inconvenience was caused to the Administration.

The following table shows the figures for Bengal alone for the last five years :—

Year and date.	Number of officers of 8 years' service and over, not holding superior appointments.	Number of officers of less than 8 years' service holding such appointments.	Net number of officers not holding superior appointments.
1	2	3	4
1907.			
January 1st	13	......	13
April "	9	1	8
July "	4	1	3
October "	5	7	An excess of 2
1908.			
January 1st	17	......	17
April "	6	......	6
July "	2	1	1
October "	5	1	4
1909.			
January 1st	10	......	10
April "	9	1	8
July "	5	1	4
October "	3	1	2
1910.			
January 1st	10	1	9
April "	3	2	1
July "	6	2	An excess of 4
October "	6	3	Ditto 3
1911.			
January 1st	4	......	4
April "	...	12	An excess of 12
July "	...	14	Ditto 14
October "	...	13	Ditto 13

N.B.—Officers on leave, or on deputation to foreign service have not been counted.

1st January.	1st April.	1st July.	1st October.
Officers of 8 years' service and over, not holding superior appointments (*vide* column 2 of preceding statement).	Officers of 8 years' service and over, not holding superior appointments (*vide* column 2 of preceding statement).	Officers of 8 years' service and over, not holding superior appointments (*vide* column 2 of preceding statement).	Officers of 8 years' service and over, not holding superior appointments (*vide* column 2 of preceding statement).
1907.			
Mr. R. G. Kilby (1896) „ A. H. Vernède (1896) „ W. S. Adie (1896) „ Satyendra Chandra Malik (1897). „ A. W. Cook (1897) „ F. W. Ward (1897) „ L. S. S. O'Malley (1898). „ A. W. Watson (1898) „ A. Mellor (1898) ... „ L. Birley (1898) ... „ G. J. Monahan (1898) „ F. B. Bradley-Birt (1898) „ J. Reid (1898).	Mr. H. L. Stephenson (1895).* „ H. C. Woodman (1897). „ W. R. Gourlay (1897). „ J. Cornes (1897). „ L. S. S. O'Malley (1898). „ A. Mellor (1890). „ G. J. Monahan (1898). „ F. B. Bradley-Birt (1898). „ J. Reid (1898).	Mr. H. L. Stephenson (1895).* „ L. S. S. O'Malley (1898). „ G. J. Monahan (1898). „ J. Reid (1898) ...	Mr. H. L. Stephenson (1895).* „ J. Johnston (1896). „ J. L. Ross (1898). „ L. S. S. O'Malley (1898). „ J. Reid (1898).
1908.			
Mr. H. P. Duval (1896) „ J. Cornes (1897) .. „ R. L. Ross (1898) „ F. W. Ward (1898) „ L. S. S. O'Malley (1898). „ A. Mellor (1898) ... „ L. Birley (1898) ... „ G. J. Monahan (1898) „ F. B. Bradley-Birt (1898). „ J. Reid (1898). „ T. S. Macpherson (1899). „ J. Byrne (1899). „ Manmatha K. Deb (1899). „ J. T. Whitty (1899). „ V. B. Cobden-Ramsay (1899). „ B. R. Mehta (1899). „ J. C. K. Peterson (1899).	Mr. R. L. Ross (1898) „ G. J. Monahan (1898). „ J. Reid (1898) ... „ Manmatha K. Deb (1899). „ J. T. Whitty (1899) „ V. B. Cobden-Ramsay (.899).	Mr. J. Byrne (1899) „ J. T. Whitty (1889)	Mr. F. W. Ward (1897). „ L. Birley (1898). „ T. S. Macpherson (1899). „ J. Byrne (1899). „ J. T. Whitty (1899).
1909.			
Mr. F. B. Bradley-Birt (1898). „ J. Byrne (1899) ... „ Manmatha K. Deb (1899). „ J. T. Whitty (1899) „ J. C. K. Peterson (1899). „ H. Ll. L. Allanson (1900). „ E. H. Berthoud (1900). „ H. R. T. S. Perrott (1900). „ M. C. McAlpin (1900) „ P. W. Murphy (1900)	Mr. J. Reid (1898) ... „ J. Byrne (1899) ... „ Manmatha K. Deb (1899). „ J. T. Whitty (1899) „ H. Ll. L. Allanson (1900). „ E. H. Berthoud (1900). „ H. R. T. S. Perrott (1900). „ M. C. McAlpin (1900). „ P. W. Murphy (1900).	Mr J. Byrne (1899) ... „ H. Ll. L. Allanson (1900). „ E. H. Berthoud (1900). „ M. C. McAlpin (1900). „ P. W. Murphy (1900).	Mr. F. B. Bradley-Birt (1898). „ J. Byrne (1899). „ P. W. Murphy 1900).

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* Was Private Secretary to the Lieutenant-Governor.

1910.

1st January.	1st April.	1st July.	1st October.
Officers of 8 years' service and over, not holding superior appointments (*vide* column 2 of preceding statement).	Officers of 8 years' service and over, not holding superior appointments (*vide* column 2 of preceding statement).	Officers of 8 years' service and over, not holding superior appointments (*vide* column 2 of preceding statement).	Officers of 8 years' service and over, not holding superior appointments (*vide* column 2 of preceding statement).
Mr. F. B. Bradley-Birt (1898).	Mr. T. S. Macpherson (1899).	Mr. J. Byrne (1899).	Mr. J. Byrne (1899).
" J. Byrne (1899).	" J. Byrne (1899).	" Manmatha Krishna Deb (1899).	" Manmatha Krishna Deb (1899).
" Manmatha Krishna Deb (1899).	" Manmatha Krishna Deb (1899).		" H. L. L. Allanson (1900).
" J. T. Whitty (1899).			
" H. R. T. S. Perrott (1900).			
" P. W. Murphy (1900).			
" J. A. L. Swan (1901).			
" W. D. W. Prentice (1901).			
" C. H. Reid (1901).			
" F. M. Luce (1901).			
1911.			
Mr. J. Byrne (1899).			
" H. C. Liddle (1901).			
" J. D. Sifton (1902).			
" J. A. Hubback (1902).			

15570. (75) Please now see the statement marked AA and the list marked *Bengal—C*, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary?—Yes, the post of Second Additional Judge, 24-Parganas, has not been included because, though practically permanent, its permanent retention has not yet been sanctioned by the Secretary of State.

15571. (76) Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—No special difficulty has been experienced with regard to the superior posts; they are all such as are ordinarily held by officers of the Indian Civil Service, and they all carry a salary of more than Rs. 1,000 a month. In 1907, the Government of Bengal asked for an addition to the superior posts of a grade of Joint Magistrates, but this was not sanctioned; the proposal was made solely on a consideration of the number of men required for inferior posts.

15572. (77) Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connexion to List J in Appendix VII to these questions?—The number of superior posts directly under the Government of India calculated to be held by officers whose names are in the Bengal cadre is 8. The Civil Lists show that, from 1907 to 1911, 12·3 Bengal officers were on the average continuously employed in superior posts under the Government of India. The distribution among the provinces of the recruitment for the Government of India superior posts is professedly arbitrary, and in the case of Bengal the excess is not likely to be sufficient to cause any serious difficulty.

—	Sanctioned number of superior appointments under the Government of India.	ACTUAL NUMBERS.																				Total of five years.	Average.
		1907.				1908.				1909.				1910.				1911.					
		1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Superior posts held directly under the Government of India.	8	9	9	12	13	13	13	13	13	13	12	12	13	14†	14†	13†	14†	11†	11†	12†*	12†*	246	12·30

* Including Lieutenant-Governor of Eastern Bengal and Assam (Sir Charles Bayley).
† Including Census Commissioner (Mr. Gait).

15573. (78) Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—Four is the number of superior posts allowed for temporary appointments and deputations. From the Civil List it appears that on the average 3·45 officers were employed in such work during each quarter of the last five years. The allowance is therefore approximately correct.

—	Sanctioned number.	ACTUAL NUMBERS.																				Total of five years.	Average.
		1907.				1908.				1909.				1910.				1911.					
		1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Superior posts allowed for temporary appointments and deputations.	4	4	2	...	...	5	4	2	2	6	4	3	3	6	6	4	4	4	5	3	2	69	3·45

15274. (79) Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?—The arrangement by which officers recruited against temporary superior posts are shown in the lowest grade works satisfactorily, provided that such appointments and deputations are purely temporary; if the provision is made to cover appointments which are only technically temporary, the system would involve an inconvenient drain on the officers of over eight years' service.

15575. (80) Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—The allowance of 39 per cent. was fixed solely on a consideration of the length of training necessary, and is the percentage on superior posts of junior officers who will on the average be on duty. In 1907, the Government of Bengal represented that this percentage did not give enough junior civilians in Bengal to man the subdivisions and posts of Joint at head-quarters which ought, in the interests of the administration, to be held by civilians or for special reasons by Europeans. This representation was based principally on the special needs of Bihar, which no longer forms part of this province. The Bengal Government proposed, in order to avoid interfering with the principle on which recruitment is based, to create a grade of Joint on Rs. 1,200 which should rank as superior appointments. This proposal was refused, but in consideration of the needs of the province a temporary excess of eight was allowed in the grades of Joint-Magistrates, to be reduced as any new superior appointment was created. On the reorganization of the provinces on the 1st of April 1912, two of these excess Joint fell to the share of Bengal, but Government agreed to abolish the excess appointments entirely and return to normal conditions. The junior administration of the province should rightly be regarded as the work of the Provincial Service, and their field of work should only be trenched upon by Civilians in so far as is necessary to give Civilians training for the higher posts. Any other principle involves the hypothesis that the Provincial Service is not capable, under Civilian superintendence, of filling the inferior posts, and that a European-recruited agency is necessary for these posts. If, for special reasons connected with religious differences or other special features, Europeans are required for particular subdivision or posts, they should be recruited as part of the Provincial Service, but there should be no question of the recruitment for the Civil Service being based on any consideration of the inferior posts.

15576. (81) Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—The fully-passed Assistant Magistrates shown at present in the Civil List in Bengal have taken on an average 18 months to pass their departmental examinations, and there can be no question that until these are passed the Assistants must be considered as under training. During the last five years in Bengal, civilians have been put in charge of subdivisions on the average 18 months after they have come to the country; in Eastern Bengal the average has been 17 months. If therefore they are reckoned as out of training and holding inferior posts as soon as they are put in charge of subdivisions, the period of training is rather less than two years. But it may justly be considered that the first six months in a subdivision is also part of their training. The inferior posts in Bengal are two Under-Secretaryships and 34 posts of Joint Magistrates; during the last five years in Bengal the average service before *pucka* promotion to a Jointship has been eight years, eight months; and and in Eastern Bengal six years, ten months. In Bengal, an officer has not obtained permanent officiating promotion under about four years, but in Eastern Bengal the period has been two years, and in the present province this will probably be the time in future. It may be taken, therefore, that Assistants are in training for two years, and the percentage of 15·5 need not be altered.

15577. (82) Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?—The figures have been worked out for 1911, an ordinary typical year. The number of superior posts was 90 and the sanctioned cadre was 175. The actual cadre, however, was 184. Taking the actual cadre of 184, if this had been properly distributed according to the theoretical cadre the men on leave should have been—

Over eight years	29·4
Inferior posts	6·0
Training posts	·6
	36·0

In fact the men on leave throughout the year were—

Over eight years	32·7
Inferior posts	2·2
Training posts	·7
	35·6

The total is correct, but the distribution is wrong. The Civil List, however, shows that only the men of 1900 officiated in superior posts in the cold weather; instead therefore of men of eight years' completed service officiating practically permanently it was only those of ten completed years who were in that position. The ninth and tenth years therefore in this case should be counted as inferior posts. The numbers on leave then become—

Superior posts	28·5
Inferior posts	6·4
Training	·7
	35·6

The numbers and distribution are therefore practically correct, and the percentages may be accepted as approximating to actual conditions.

15578. (83) Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure with reasons in support of the same?—Taking the percentage of actual casualties in each of the last 20 years on the actual strength of the year, the average casualty rate works out at 3·92 on the total cadre of Bengal, Bihar and Assam. The decremental rate as found by Sir David Barbour on 45 years' experience up to 1880 was 4·32; Mr. Barrow on the 50 years' experience up to 1904 found it to be 4·17. Mr. Barrow worked this out by years of service, grouping together quinquennial periods, and his result is no doubt more accurate than the above, which has merely been worked out on the average decremental rate of each year unweighted by any system of grouping. There is no reason to doubt that 4·17 corresponds with actual facts.

15579. (84) Does the theoretical strength of the service correspond ordinarily with its actual strength? If not, please state the facts, and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?—As shown in the statement marked BB, the province is nine men short of its sanctioned strength. The sanctioned strength of the cadre of Bengal and Eastern Bengal was 337; the present total sanctioned strength of the combined cadres of Bengal, Bihar and Assam is 340; so the number has risen by 3 owing to the reorganization, and this accounts for part of the shortage. The remainder is accounted for by the increase since last year of the total number of superior appointments to be recruited for from 90 to 94; 194·5 per cent. on 4 appointments equals 7·7 men. Turning to the theoretical strength as distinguished from the sanctioned strength, the theoretically correct distribution of the sanctioned cadre for Bengal is compared with the distribution of the actual cadre on the 1st of October 1912 in the following statement:—

Year of service.	Number of men in theoretical cadre.		Actual strength on 1st October 1912.	
		Progressive.		Progressive.
Above 35 ...	·4	·4	1	1
35 ...	1·0	1·4	0	1
34 ...	1·2	2·6	2	3
33 ...	1·4	4·0	1	4
32 ...	1·8	5·8	1	5

Year of service.	Number of men in theoretical cadre.	Progressive.	Actual strength on 1st October 1912.	Progressive.
Above 31 ...	2·0	7·8	0	5
30 ...	2·4	10·2	0	5
29 ...	2·7	12·9	3	8
28 ...	3·3	16·2	1	9
27 ...	3·8	20·0	1	10
26 ...	4·5	24·5	5	15
25 ...	4·9	29·4	1	16
24 ...	5·1	34·5	3	19
23 ...	5·2	39·7	6	25
22 ...	5·3	45·0	5	30
21 ...	5·5	50·5	4	34
20 ...	5·5	56·0	9	43
19 ...	5·7	61·7	5	48
18 ...	5·8	67·5	6	54
17 ...	6·0	73·5	3	57
16 ...	6·1	79·6	11	68
15 ...	6·1	85·7	8	76
14 ...	6·2	91·9	11	87
13 ...	6·3	98·2	3	90
12 ...	6·5	104·7	6	96
11 ...	6·5	111·2	5	101
10 ...	6·7	117·9	6	107
9 ...	6·8	124·7	5	112
8 ...	6·9	131·6	6	118
7 ...	7·0	138·6	6	124
6 ...	7·1	145·7	5	129
5 ...	7·2	152·9	8	137
4 ...	7·3	160·2	8	145
3 ...	7·5	167·7	6	151
2 ...	7·6	175·3	10	161
1 ...	7·7	183·0	11	172

The actual cadre is different all through, but the deficiencies are greater in the years above 17 years' service. The redistribution of the cadres after the 1st April last has disturbed the theoretical strength considerably.

15580. (85) Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—At the time of fixing the annual indent for recruitment, the actual strength of the service is examined, but it is not compared with the theoretical strength. The flow of promotion depends on the correspondence between the distribution of the actual cadre and the theoretically correct distribution of a cadre of the sanctioned strength. This is the point that is examined quinquennially. The examination in itself does nothing to regulate the flow of promotion; it can only show the inevitable results of the actual distribution, and any steps then taken to regulate recruitment cannot have any material results for many years. The quinquennial examination is useful but the theoretical cadre should be compared each year with the actual cadre of each province, so that if any opportunity arises it may be taken to bring the actual cadres more into correspondence with the theoretical.

15581. (86) State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—In preparing the indent of Indian civilians to be recruited for Bengal in the open examination of 1913, the actual strength of the provincial cadre in July 1912 is taken. The men recruited in the open examination in 1913 will not arrive in India till the end of 1914; before that time therefore the actual cadre of July 1912 will be reduced by two years' decremental rate of 8·34 men; these are therefore deducted from the actual cadre. On the other hand, by that time two lots of new recruits will have arrived, one in December 1912 and the other in December 1913; these must therefore be added to the actual cadre. The net result will be the anticipated number in the service on 1st July 1914, and this number is compared with the sanctioned strength and the excess or deficiency ascertained. The number of recruits required in accordance with the authorized recruitment rate on the sanctioned cadre is calculated; if on the 1st July 1914, it is anticipated that there will be a deficiency, 30 per cent. of the deficiency is added to the normal recruitment, if there will be an excess, 30 per cent. of the excess deducted from the normal recruitment, and the result is sent in as the indent to be recruited for in 1913 and to arrive in December 1914. Only 30 per cent. of the excess or deficiency is taken in order to spread the recruitment more evenly over a term of years and prevent a block. This system gives as accurate results as possible as regards total numbers; to be strictly correct the basis should be a forecast of the number of superior posts 8—10 years in advance, but this is impossible, and the results attained by the present system, though they cannot entirely prevent blocks, are as satisfactory as it is possible to devise.

15582. (87) Are you satisfied that, under the existing system of promotion, the interest of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Under the system followed in this province an officer rises by seniority to the first grade of Joint Magistrates. Except in the very rare case when he is obviously incompetent for a district charge, he is then appointed to officiate in district charges, and is not confirmed unless he is fit to hold these appointments. Appointment to a Commissionership is made on the basis of selection of the fittest among the senior Collectors. Every officer except in the very rare cases of obvious incompetency is tried in a district charge and his interests are thus safeguarded ; but his turn for confirmation does not come until Government has had considerable experience of his work and is satisfied that he is fit. In the case of a Commissionership an officer may be passed over by a junior officer who is obviously more suitable for selection, but he is not finally passed over unless he is obviously unfit or has been given an opportunity of proving his merits and has been found wanting. The principle that absolute fitness is an essential qualification for promotion to the headship of a district has long been accepted both by Government and the services. This post forms at present the staple object of recruitment to the Indian Civil Service, and the average officer passes half his service in such a post. Assuming that the system of recruitment is suitable, the cases will be very rare in which an officer is not fit for the charge of a district, but the growing complexity of district administration and the manning of the lighter districts by Provincial Service officers renders it more and more necessary that the test of fitness should be thorough. An officer who is finally rejected as unfit loses his *raison d'être*, and not only fails in usefulness to Government, but is a source of weakness and difficulty to the administration. It is right therefore that he should no longer remain in the service, but should be compulsorily retired on a suitable pension. No officer should be retired before five years' service, as anything shorter than this would not give a fair trial, and ordinarily the final rejection would not come until he had been tried in a district and failed or had attained the seniority which would normally entitle him to the charge of a district. But when the Local Government had finally decided to reject him they should be empowered to submit the case to the Secretary of State with a recommendation that the officer should be compulsorily retired. It is most important that the service should have confidence in the authority with whom the decision as to compulsory retirement rests ; the annuity after full service is one of the attractions of the service, and if any uncertainty is introduced regarding the possibility of obtaining this annuity, it must have a deleterious effect on recruitment. The opinion of the service was very strongly against any lower authority than the Secretary of State exercising this power, and the provision of an appeal to the Secretary of State would not remove the fear that the Local Government or the Government of India might be prejudiced or biassed by considerations of policy, because it is felt that in such an appeal the Secretary of State must necessarily be averse to upsetting the formal decision of the lower authority. An officer who has been finally passed over for promotion to a district charge should therefore be liable to compulsory retirement by the Secretary of State. If an officer who has been passed as fit for a district charge should afterwards become inefficient he should be liable in the same way to compulsory retirement at the hands of the Secretary of State. But in this case, and in a lesser degree in the case of an officer passed over for promotion to the charge of a district, it is very desirable that the service should feel confidence in the justice and fairness of the decision before the officer is compulsorily retired from the service. The Government of Bengal have therefore suggested that in the first instance the facts should be enquired into by a Committee, which might be composed in the case of an executive officer of a Collector, the officer's Commissioner and a Secretary to Government, and in the case of Judicial officers, of a District Judge, a Judge of the High Court and a Secretary to Government. These officers would know the actual work which the officer concerned would have to do, and though their recommendations could not bind Government, their findings would carry very great weight both with Government and the service generally. The appointment of Commissioner is one of very great importance and should be filled by the best officers at the disposal of Government. Seniority should therefore not give the right to be tried if there is a better junior man ; but in the absence of an undoubtedly better junior man the senior officer should be tried before he is declared to be unfit for a Commissionership, unless he is obviously unsuitable. An officer therefore may be passed over for a Commissionership, not because he is not fit, but because there are better men below him. He will only be finally rejected when in the absence of better men he has been tried and found wanting. When he is finally rejected he should have the option of retiring, but in most cases he will have already earned his pension ; as he is *ex-hypothesi* suitable for a district charge there is no reason why he should be compulsorily retired.

15583 (88) To what extent are the functions of the officers of the executive and judicial branches of the Indian Civil Service differentiated ? Is any change desirable, and, if so, in what directions ?—Under present orders an officer's final choice as to the branch of the service to which he wishes to belong is made at the end of his twelfth year of service, and his allocation to one branch or the other is then finally made. Up to that period he is liable to be employed in either branch, but in most cases his aptitude for one or other branch is known before that period, and influences the officiating charges he receives. The question of making this allocation at an earlier stage of service is under consideration in connection with the improvement of the training of Indian Civilian Judges.

15584. (90) Please see the two statements contained in Appendix VIII to these questions, showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre, and the grading of each class of post for the different provinces, and say whether they are correct for your province ?—The statements are correct with the following exceptions :— CC. The pay of the Chairman of the Improvement Trust has been fixed at a consolidated salary of Rs 3,500. The pay of the Deputy Chairman of the Corporation of Calcutta is at present Rs. 1,500. DD. The heading of the last column should be "Grades of Rs. 400 and over" as Assistant Magistrates draw Rs. 400 till they pass their lower standard, and thereafter Rs. 450 until they have completely passed their departmental examinations.

15585. (91) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorized on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912?—Please see the statement below.

Nature of posts.	April 1st, 1860.(a)		April 1st, 1870.		April 1st, 1880.		April 1st, 1890.		April 1st, 1900.		April 1st, 1912.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governor	...	...	1	8,333⅓	1	8,333⅓	1	8,333⅓	1	8,333⅓	...	......
Members of Council	...	...	...	......	...	......	...	......	...	......	2	5,333⅓
Judges of High Court	...	...	7	4,166⅔	6	4,166⅔	2 3	4,166⅔ 3,750	1 5	4,166⅔ 4,000	4	4,000
Members of Board of Revenue	...	...	2	4,000	2	4,000	2	4,000	2	4,000	1	3,750
Secretaries to Government ...	...	...	2	3,333⅓	2 1	3,333⅓ 2,500	1 2	3,333⅓ 2,916⅔	1 2	3,333⅓ 2,750	1 2	3,333⅓ 2,750
Junior Secretary to Government.	...	...	1	1,500	1	1,800	...	......	...	......	...	......
Commissioners	...	...	8	2,916⅔	8	2,916⅔	8	2,916⅔	9	2,916⅔	5	2,916⅔
Ditto (non-regulation)	...	...	3	2,500	1	2,500	1	2,500	...	......	...	......
Judicial Commissioner	...	...	2	2,500	1	2,500	1	2,500	1	2,500	...	......
District and Sessions Judges ...	...	...	26	2,500	14	2,500	15	2,500	15	2,500	3 (f1)	3,000
					14	2,000	14	2,000	15	2,000	13	2,500
											14	2,000
Additional Judges	...	...	1 4	2,500 2,166⅔	...	......	...	......	...	......	...	......
Judge of the Principal Court of Small Causes.	...	...	1	1,500	...	......	...	......	...	......	...	......
Secretary to Board of Revenue	...	...	1	2,500	1	2,500	1	2,500	1	2,500	...	......
Junior Secretary to Board of Revenue.	...	...	1	2,333⅓	1	1,800	1	1,800	1	1,800	...	......
Registrar, High Court	...	...	1	1,700	1	1,700	1	1,700	1	1,700	1	1,700
Magistrates and Collectors ...	...	...	23	1,916⅔	15	2,250	15 (d1)	2,250	16 (e1)	2,250	12 (f2)	,250
			14	1,500	15	1,800	16	1,800	17	1,800	13	1,800
					6	1,500	7	1,500	14	1,500	14	1,500
Deputy Commissioners ...	...	...	4	1,833⅓	2	1,833⅓	2	1,833⅓	1	1,833⅓	...	......
			6	1,666⅔	3	1,666⅔	3	1,666⅔	...	......	...	......
			6	1,333⅓	3	1,333⅓	3	1,333⅓	...	......	...	......
			3	1,000	1	1,000	...	......	...	......	...	......
Miscellaneous	..	...	1	3,000	1	2,500	1	2,500	1	2,000	1	2,500—3,000
			2	2,900	1	1,500—1,800	1	1,500	1	3,000	1	2,500
			1	2,500	1	3,000	1	3,716⅔	(e2) 1	2,500—3,000	1	3,500
			1 (b)	2,750	2 (c)	2,500—3,000	2 (d2)	2,500—3,000	1	2,700	(f3) 1	1,500
			1	1,200	1	2,500—3,000	1	2,500—3,000	...	......	1	1,500
			1	2,000	1	1,000	1	2,500—3,000	...	......	...	......
			1	1,350	1	3,000	...	......	...	......	...	......
			2	900	...	......	...	......	...	......	...	......
			1	1,500	...	......	...	......	...	......	...	......
Settlement officers	...	...	...	......	...	......	...	......	4	......	...	......
Cantonment Magistrates, 1st grade.	...	...	2	1,127½	...	......	...	......	...	......	...	......
Cantonment Magistrates, 2nd grade.	...	...	1	1,000	...	......	...	......	...	......	...	......
Under-Secretary to Government.	...	...	1	1,000	2	1,000	2	1,000	3	1,000	*	1,000
Joint Magistrates, 1st grade ...	...	...	23	900	22	900	23	900	23	900	17	900
Ditto 2nd grade	...	...	11	700	10	700	12	700	12	700	17	700
Assistant Commissioners, 1st grade.	...	...	7	800	3	800	3	800	...	......	...	......
Assistant Commissioners, 2nd grade.	...	...	8	700	3	500	...	......	...	......	...	......
Assistant Commissioners, 3rd grade.	...	...	6	500	8	500	...	......	...	......	...	......
Assistant Magistrates	...	...	108	400—500	96†	400—500	76†	400—500	87	400—500	56	400—500
Total ...	...	...	290	......	246	......	223	......	236‡	......	183	......

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* Third Under-Secretaryship is a listed post, but held by an Indian Civil Service officer.

† Excluding the statutories.

‡ Excluding Additional Commissionership of Patna and Additional District and Sessions Judgeships, Jessore, Khulna and Bakarganj, which were temporary posts.

(a) Information is not available.

(b) Chairman of the Corporation of Calcutta; Opium Agents, Bihar and Benares; Superintendent and Remembrancer of Legal Affairs; Collector of Customs; Deputy Collector of Customs; Governor-General's Agent, Murshidabad; Registrar-General of Assurances; Registrars of Bihar and Presidency districts; Superintendent of Stamps and Stationery.

(c) Inspectors-General of Police and Registration; Chairman of the Corporation of Calcutta; Opium Agents, Benares and Bihar; Superintendent and Remembrancer of Legal Affairs; First Inspector of Registration Officers; Collector of Customs.

(d1) Director of Land Records graded with Collectors, but seconded. Collector of Customs graded with Collectors.

(d2) Inspectors-General of Police and Registration; Chairman of the Corporation of Calcutta; Opium Agents, Benares and Bihar; Commissioner of Excise; Superintendent and Remembrancer of Legal Affairs.

(e1) Commissioner of Excise, Collector of Customs, and Director of Land Records graded with Collectors.

(e2) Inspector-General of Police; Chairman of the Corporation of Calcutta; Opium Agent, Bihar; Superintendent and Remembrancer of Legal Affairs.

(f1) Includes Superintendent and Remembrancer of Legal Affairs and three Judgeships of Assam.

(f2) Includes Commissioner of Excise; Director of Land Records; Director of Agriculture; Registrar, Co-operative Credit Societies; two Secretaries to the Board of Revenue; three Settlement Officers; four Additional District Magistrates.

(f3) Inspector-General of Police; Chairman of the Corporation of Calcutta; Chairman of the Improvement Trust; Private Secretary;

15586. (92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The pay of the main posts of the Civil Service has remained unaltered for over half a century, and meanwhile the value of the salary has been decreased by one-third. Since 1890, the date taken by the Prices Committee as a starting point, prices have risen from 15 to 50 per cent., and the men who are now in the service have felt the pinch of this rise and have felt it the more because it has been made the ground for a revision of the pay and prospects of almost every other service. The grant of exchange compensation has to some extent lessened the effect of this rise. The pay of the service was fixed to enable a certain position to be kept up, and there is a general complaint that it is no longer possible to keep up that position without getting into debt. Enquiry would show that there are few officers in the service who have done more than save sufficient for their passages and furlough from time to time, while there are some who rely on the later years of their service to clear them from debt. There certainly is a feeling of dissatisfaction, but it is with regard to the pay and prospects of the service generally rather than with reference to the pay of any particular posts. It is recognized that to raise the pay of the service to its equivalent of 60 years ago would be prohibitively expensive, but it is generally felt that it is wrong that officers of Government in responsible positions should be unable to keep up the position that is expected of them without getting into debt. As regards the actual rates of pay and grading, it must be remembered that under the present system officers start their pensionable service at a much later age, and are therefore, age for age, worse off than their predecessors, and their heavy expenses of married life begin at a comparatively earlier stage of their career. If Mr. Barrow's conclusions continue to hold good, that officers retire at a later stage of their career than before, then there is no way of avoiding a block in the superior posts, and it is more than ever essential that the grading in these posts should be liberal. There is further the fact peculiar to Bengal that the amenities of life have been very greatly affected by the recent reconstitution of the province; all the healthy districts and all the cheap districts have been removed, and Bengal districts are now probably as a whole the most expensive in India to serve in, and at the same time offer probably the fewest attractions, while the lack of healthy districts must mean that officers must take a greater amount of leave, with its consequent expense. There are therefore special grounds for liberality in grading in Bengal. The pay of the executive line compares very unfavourably with that of the judicial, and the first improvements should be effected in that branch. The actual pay of the various grades of Collectors is the same as in most other provinces, but there are grounds for raising it to the standard of the judicial branch and adopting the pay in force in Madras. The grading in Bengal is particularly bad. In 1881 the grading was 15. 15. 6, and this was only altered in order to assimilate the pay of Deputy Commissioners in Assam to that of Collectors in Bengal without incurring the full expenditure that was really necessary for this purpose. It is desirable that the grading should now be brought back to the previous level. The recommendations of the Decentralization Commission aimed at enhancing the position of Commissioners, and, in a less degree, of district officers, and the ordinary corollary would be an enhancement of their prospects. The pay has remained stationary, and in view of their increased responsibilities there are grounds for raising the pay to that of Commissioners in Bombay. This would involve raising the pay of the Chief Secretary to an equality with the pay of the posts in Madras and Bombay. The claim of the senior officers in Bengal may be fairly represented as that they should be put on the most favourable level prevailing in India, since in Bengal the amenities are less and the expenses greater than in any other province. It is, however, the pay of the inferior posts and of officers just beginning to act in superior posts, which most of all demands consideration. An officer approaching his first furlough at eight years' service has been drawing for some years about £650 per annum, with two or three intervals of a few months, of rather under £1,000 per annum while acting as District Magistrate. These periods on higher pay have been of no practical advantage to him, because since he is occupying for short periods a position the average remuneration of which is two-thirds more than he receives, the change in status without corresponding increase in remuneration probably causes him loss instead of profit. His ordinary pay of about £650 may therefore be considered as normal. For a man over 30 years of age, generally married and with a family commencing, this is inadequate to the maintenance of a decent position, reasonable comforts and at the same time of making the economies without which furlough is absolutely impossible.

15587. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?—It is not necessary that there should be uniformity of payment for similar work in all the provinces. The amenities of life and the comparative cheapness of living are factors which must be taken into consideration. But it is desirable that the high appointments in the three Presidencies should secure the same pay; otherwise the comparative status of the lower paid appointment must inevitably be less in the eyes of the public, though it was declared as the intention of Government that the status of the three Presidencies should be similar. The Chief Secretary and Commissioners of divisions in Bengal are worse off in point of actual pay than the corresponding officers in the other two Presidencies, and their expenses at the same time are heavier.

15588. (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition, apply to officers already employed or be restricted to future entrants?—Exchange compensation was introduced to remedy the special hardship caused by the extreme depreciation in value of the rupee and the loss to officers owing to its fluctuations. The rupee is now stable but at a value very considerably below its previous one. The special form of assistance with its special name is now inappropriate and the basis for the distinction of nationality and domicile is not so self-evident. The allowance therefore is liable to misconstruction, and it would be convenient to get rid of it. Although it was professedly temporary, it was an admission that some remedy was necessary for a grievance which still exists, and all those who have entered the service since the grant have some grounds for expecting its continuance in some form. It would not be equitable or possible without very great dissatisfaction simply to abolish it, but there would be considerable sentimental advantages in converting it into an increase in salaries.

15589. (96) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—The distinction in the matter of exchange compensation allowance was based on the fact that officers of European domicile as a whole had to transmit money to England and lost very heavily on the exchanges. This did not apply to officers with an Indian domicile. But these officers have been heavily affected by the fall in the purchasing value of the rupee as opposed to its foreign exchange value, and in this respect are on a par with the officers of a European domicile. The palliative of an increase in salaries to the extent of the exchange compensation allowance would go but a small way towards compensation for the fall in the purchasing power of the rupee, and officers of the Indian Civil Service of an Indian domicile are equally entitled to any rise in salary on this account as they have from the commencement been given the same salary as their European fellow officers.

15590. (97) How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The rules regulating the calculation of acting allowances are contained in Article 105 of the Civil Service Regulations. There has been no general complaint of the working of the system.

15591. (98) How is the system of officiating grade promotion, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The Appointment Department works out the officiating grade promotions from the Civil List and charge reports, and the proposals are eventually checked from the scale lists maintained by the Accountant-General. Orders are issued to the Accountant-General, the promotions are gazetted and the copies of the orders are sent to the officers concerned. The system involves a considerable amount of work in the Appointment Department, and as the scale registers of the Accountant-General are only written up from time to time, there is an unavoidable delay in checking the promotions and reversions. The delay is immaterial in the case of promotions, but it does sometimes cause hardship in the case of reversions. The system of officiating grade promotion, however, has a historical basis and is prized as a valuable right by the service. It possesses some of the advantages of a rough time-scale and, in spite of the occasional inconveniences, it could not be abolished without some form of compensation which it would be difficult to devise.

15592. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—A time-scale is suitable for a service when the work is the same in kind throughout the whole period of service. It is not in its essence suitable for a *corps d'élite* such as the Civil Service; it would be necessary to have separate time-scales for the main divisions of appointments and there would be a considerable difficulty in working the special appointments outside these main divisions. The only object of a time-scale is to regulate promotion, and it has been put forward as a remedy principally in those provinces where there has been a block. The proper remedy for such a state of affairs is a suitable system of recruitment rigidly adhered to, and a suitable grading of the main classes of appointments. A rough time-scale may be useful as a standard, but in a service specially recruited for high appointments only, a rigid time-scale is unsuitable and should be unnecessary. With a theoretically correctly distributed cadre and a suitable grading the advantages of a time-scale in providing increasing pay to meet increasing expenses is already attained by the system of officiating grade promotions.

15593. (100) As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—A separate time-scale for each main class of appointment would be necessary if any system of time-scale were adopted.

15594. (101) What is your experience of the practical working of time-scales of pay in other Indian services?—The Forest Service and the Public Works Department have time-scales, and the systems have recently been introduced for Assistant Surgeons. The systems work well generally in these departments which are organised on a different basis to the Civil Service, but the chief defect is a tendency to deprive officers of an incentive to rise above the general level of average results.

15595. (104) Turning now to the case of the statutory civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—The basis of the rule under which officers of the Statutory Service receive 64 per cent. of the pay of officers of the Indian Civil Service when holding corresponding appointments is that they are serving in their own country, and have not had the expense of going to England to pass their examinations. Under Article 85, Civil Service Regulations, an officer of Government who is deputed to Europe is only allowed to draw two-thirds of his salary; and as a civilian has to pay 4 per cent. of his salary towards his annuity, the statutory officer in receiving 64 per cent. of the civilian's pay while serving in his own country is practically placed on the same level. The arrangement therefore is quite equitable for the members of the Statutory Service. The case of a provincial officer holding a listed post is rather different; he is not recruited into the Civil Service, but is holding a prize appointment, and the recommendation of the Public Service Commission of 1886 that his pay should be regulated without reference to the pay drawn by the Indian Civil Service seems the correct course. The pay of these appointments should therefore be sufficient to attract the ambitions of the best men in the Provincial Service. At present theoretically an officer holding a listed post rises *pari passu* through the grades with his contemporaries in the Civil Service, but in practice very few of them serve long enough to go through the grades.

15596. (106) Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—The statement below has been compiled from the civil lists, and shows for each year the number of men who were on leave during some portion of the year and the number who actually proceeded on leave during the year, together with the average amount of leave the latter were granted. The rules allowing combined leave came into force in 1902, and there is a considerable rise in that year in the number of men who took privilege leave, because this number includes those who combined their privilege leave with furlough. The figures for furlough show that the number of men who go on leave is fairly constant, but there has been a considerable drop in the average amount of furlough taken since 1902. The reason is that an officer now leaves India for the same period as before, but a portion of his leave is privilege leave, whereas before it was all furlough. The average amount of privilege leave taken is much the same as before; but formerly it was taken by itself, and did not much affect the amount of furlough taken; it is now taken in combination with and reduction of furlough.

NATURE OF LEAVE.	92.					1896. (*a*)					1902.					1907.					1911.				
	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 5.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 10.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 15.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 20.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 25.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
					M. D.					M. D.					M. D.					M. D.					M. D.
Furlough ...	239	24	10·04	18	10 26	244	35	14·34	18	11 29	270	39	14·44	16	7 11	170	33	19·4	17	7 3	181	47	25·9	23	7 23
Furlough on medical certificate.		6	2·51	2	10 0		2	·82	...	...		2	·74	2	5 10		3	1·76	...	...		1	...	...	...
Special leave		2	·83	3	5 12		6	2·45	5	5 12		9	3·33	8	3 17		6	3·53	6	3 7		1	...	1	5 12
Privilege leave.		49	20·5	43	2 6		32	13·11	28	2 12		61	22·6	53	2 9		40	23·5	35	2 2		55	30·3	43	2 2

(*a*) The quinquennial year should be 1897, but as this was a famine year the year 1896 has been considered.

15597. (107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Leave on full pay is earned at the rate of one month after every 11 months of continuous active service and can be accumulated up to a maximum of three months. It can now be combined with furlough and is comparatively rarely taken by itself except in extension of vacation or the Puja holidays. Whenever an officer goes on furlough he prefixes the full amount of leave on full pay that stands to his credit, and it is only in the cases where an officer is unable to take his furlough when it is due, and is also unable to utilize a portion of his privilege leave in a holiday in India, that the full amount of leave on full pay is not taken. The basis of privilege leave was the necessity for an occasional rest from work in the intervals of furlough, and sufficient was allowed to be accumulated to enable an officer to rush to Europe and back. From this point of view one month in the year is sufficient concession, and it is undesirable to encourage officers to remain on duty for more than three years at a stretch, so the limit of accumulation also should not be raised. The question of leave on full pay other than privilege leave concerns furlough

15598. (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The amount of furlough earned by a member of the Indian Civil Service is one-fourth of his active service with a maximum limit of six years. The cases of all officers who have retired from the service since 1892 have been examined, and the average amount of furlough taken by them at the date of their retirement is three years and seven and a half months. Of the 113 cases so examined only 36 have taken more than four years and less than five years; 9 took between five and six years and only 1 the full six years. These figures also include special leave taken, if any. There is a marked tendency for the amount taken to decrease in the case of the officers who retired in the later years examined, and the operation of the system of combined leave would materially tend to decrease the amount of furlough taken. Judged by these figures the maximum limit is higher than is absolutely necessary, but the tendency to retire later than before must not be overlooked nor the occasional necessity for prolonged medical leave. An average amount of four and a half years (not counting special leave) or a maximum limit of five years should suffice if, in compensation, the terms of leave allowances were improved.

15599. (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The present allowances are calculated on half average pay for three years with a maximum and minimum. The object of the leave is to recruit the officer's strength and energies and prepare him for a return to work. He has to meet the cost of passages. The expense of living when on leave is much more than after retirement, and the leave must be taken at a time when the officer has often very considerable expense to bear in connection with the education of his family. It is the general experience that even if the first three months of leave are on full pay, it is impossible for an officer on combined leave to cover his expenses from the time of leaving India to his return by the allowances he receives during that period, and his balances during his service in India are devoted to paying the debts incurred during his last furlough or saving towards the cost of his next. The number of officers who are deterred from taking leave by the expense is comparatively small, but the complaint as to the inadequacy of the allowances is general and genuine. It might be met either by increasing the average allowances to two-thirds, or to some extent by substituting four years on half pay *plus* one year on full pay for the present limit of six years on half pay.

15600. (110) Do you recommend any change in the concession granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privileged rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—This concession should certainly not be withdrawn. The fall in the exchange value of the rupee affected leave allowances to an even greater extent than salary drawn in India, and the general rise in prices and the standard of living during the last 20 years is at least as great in England as in India. As shown above the leave allowances even now are considered inadequate, and it would be impossible to reduce them. One method of improving them might be to increase the privileged rate to 2 shillings.

15601. (111) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?—The minimum rate is equitable, but the maximum rate for the reasons given above is unduly low. It is, after deductions, lower than the annuity drawn after retirement, while the expenses on leave are very considerably greater, and it is impossible during the comparatively short periods of leave to abandon all of the special forms of expenditure which are entailed by residence in India, *e.g.*, a man who has several children at school cannot with any regard to their interests remove them and take them to live with him for the few months that he spends at home, yet their charges may amount to a very large proportion of his furlough pay. If he were permanently resident in England, he would probably live where he could have them educated as day-scholars. This circumstance alone may make a difference of several hundreds annually between the officer on furlough and one who has retired. Insurance premia have also to be paid in full on furlough, and the deductions for the Family Pension Fund remain the same. If two-thirds pay were admitted, £1,333 would be the maximum indicated.

15602. (112) Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—No complaints have been made regarding these forms of leave and allowances.

15603. (113) Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the administration, and, if so, what, and what remedy do you suggest?—The hard-and-fast rules regarding the intervals between leaves often cause very considerable inconvenience to the administration, and are a cause of unnecessary transfers: but it is useless to discuss the details, as the Government of India have recently proposed a simplification of the rules which will obviate this inconvenience.

15604 (114) In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?—Answered under question (113).

15605. (115) Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?—The rigid restrictions as to the intervals at which leave may be taken and the regulations regarding the combination of leave and the limits of such combined leave do often press hardly upon officers; but the proposals of the Government of India alluded to above will remove these grievances.

15606. (116) Do the present leave rules applicable to statutory civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—There is only one statutory civilian left in this province; the leave rules of officers holding listed posts are the same as those of the rest of the Provincial Service. These gentlemen are Indians and are recruited in India; it seems clear that the same rules cannot with equal appropriateness be applied to them and to a service consisting mainly of Europeans recruited in Europe and retaining their European domicile. The suitability of the actual rules will be discussed when dealing with the Provincial Service.

15607. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—The annuity of £1,000 is one of the chief attractions to candidates for the Indian Civil Service, and any alteration in the certainty of attaining this would at once be reflected in recruitment and would be strongly resented by the present members of the service. The only direction in which any alteration is possible is an additional annuity for service beyond the minimum or for service in high appointments. The general feeling of the members of the service has always been against such differentiation on the ground, first, that it discourages retirement and, secondly, that the knowledge that the amount of an officer's pension depends on the office he holds at the time of his retirement may tend to hamper Government in its selection of officers for high posts.

15608. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—The merits of a non-contributory system of superannuation pension must depend on the maximum limits imposed. If the rules applicable to other services were maintained and no limit imposed, an officer retiring as first-grade Magistrate would draw £1,181 at the privileged rate of 1*s* 9*d*, while the pension of a Judge retiring in the second grade would be £1,311. This difference in pension could not be justified by any consideration of the respective merits of the services rendered. Any system of pension by which it would be possible for the average officer to obtain less than £1,000 would probably be disastrous in the interests of recruitment, while any system that gave varying amounts above this to officers in high positions would be open to the objections to differentiation in the amount of annuity under the present system. The equality of the annuity for all officers is a feature of the present system which is generally upheld by members of the service, and any improvement in the general terms of pension should take the form of an increase in the annuity.

15609. (120) Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what and for what reasons?—The annuity system was founded on contributions from all members of the service supplemented by a grant from Government. Originally, every member had to contribute to the fund what was estimated to be sufficient to enable the fund to pay him £500 a year, and if he retired before he had done that he had to make up the deficiency, but he got no credit for any excess payments. Government undertook to pay the remaining £500. In 1862 the Government liability was increased to £600, but the contributor was still liable to make up the remaining £400. In 1871 the Secretary of State decided that all officers retiring after 25 years' service should receive the full annuity of £1,000 irrespective of the amount of his contributions, and the annuity funds were abolished in 1874, and since that date there has been no detailed account of the working of the fund. The contributions of officers go into the public treasury, and no separate account of them is kept. Whether rightly or wrongly, there is a strong feeling in the Civil Service that better terms than the retiring annuity of £400 could now be obtained in return for their 4 per cent. deductions and the payments of deceased members and an actuarial examination of the question would probably have a good effect. The abolition of the annuity fund 40 years ago has blurred the real significance of the 4 per cent. deduction, and it is felt as a grievance that the Civil Service should be the only service which has to contribute towards its own pension, and this feeling has increased with the decrease in the relative attractions of the £1,000 a year.

15610. (122) Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—The feeling against special pensions dependent on the holding of high office has been alluded to above. It is felt that these officers alone are in a position to save money and do not therefore so strongly need the extra pension; that the attractions of such a pension would induce officers to stay on after they have ceased to be really fit for the work, and that it is not in the interest of the even flow of promotion that inducements should be held out to senior officers invariably to complete their service; and, lastly, that the difference in pension would tend to induce Government to be less strict in their selection for high office. The one exception that should be made is in the case of a Lieutenant-Governor, whose expenses are ordinarily such that he is unable to save during his term of office and whose position and status is distinctly removed from that of the ordinary members of the service. In his case the descent from the position and style of the head of a province to an annuity of £1,000 might be mitigated by an extra pension of £ 500 after four years' service as Lieutenant-Governor.

15611. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Entrance to the Civil Service is secured by means of a system of examination which is designed to select the best men available. An officer who has passed this test has a right to expect that he has secured a career for life; if thereafter he is found to be inefficient, not through any misconduct or fault of his own, it is the entrance test that has failed and it is inequitable that an officer should be cast adrift in consequence. It has already been stated that it is undesirable to retain such an officer in the service, but it is impossible to remove him without a suitable pension, and it is the lack of any provision for an automatic scale of pensions in such circumstances that has prevented the Secretary of State being asked to exercise his powers of retirement in the comparatively few cases of inefficiency that have occurred. As regards the amount of such pensions, they should be on the same scale as pensions on retirement on medical certificate. Cases of misconduct and of inefficiency induced by misconduct come in a different category; but inefficiency by itself may reasonably be classed with incapacity due to illness. The officer started with the reasonable expectation of being provided for for life and has spent some years in service; by the time he is retired, it is too late for him to take to another and possibly more suitable career.

15612. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Subject to the answers already given on the question of the retirement of an officer passed over for promotion to a district charge, the rules regulating voluntary and compulsory retirement are suitable. The pension rules have already been discussed; the rules for pension on medical certificate were made more liberal a few years ago, but the scale still operates very harshly in the case of senior officers who are compelled to retire on medical certificate before they have completed their 21 years' active service, though they have completed a total service of 25 years. In that case the pension is limited to £700; the terms might be made more liberal for officers who have completed over 21 years' service so as to bring the maximum attainable nearer to the full pension.

15613. (126) Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?—There are no military officers employed in Civil Service posts in this province.

15614. (127) Do you approve of the present system regulating the pensions of statutory civilians? If not, what do you suggest?—The present system seems suitable for statutory officers; there is only one left in this province

15615. (128) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—Officers of the Provincial Civil Service holding listed posts should be eligible for the extra pension of Rs. 1,000 a year under the provisions of Article 475 of the Civil Service Regulations. In other respects the pension rules are suitable.

15616. (129) Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The regulations and the methods of working them are satisfactory.

15617. (130) In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based? (131) Do you recommend that such admission should be optional or compulsory? (132) If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—(130 to 132) The exclusion of Natives of India from the benefits of the Indian Family Pension Fund was formally decided in 1872. In 1874 the Government of India started a separate pension fund for Indians with the same contributions and the same benefits, but subject to the condition that subscriptions would not be received on behalf of a wife married in the lifetime of another wife or on behalf of a child born of a wife married in the lifetime of another wife, and that such wife and child shall not receive any allowance from Government. These proposals, however, were shortly afterwards withdrawn and actuarial enquiries were started, but nothing further has been done. The Indian joint family system, to some extent, removes the necessity for compulsory provision for widows and orphans and, in any circumstances, the necessity would not be so great as in the case of officers serving in a foreign country. It has not been considered necessary to enforce compulsory provision in any service except in the case of Europeans; but, on the other hand, Indians serving in the highest service in India are in a somewhat different position, and it reflects on the prestige of Government service if their families are left inadequately provided for and they should be entitled to the benefits of an optional scheme. As European members of the service receive greater assistance from Government than is given by the terms of the General Provident Fund, Indian members of the service are entitled to expect equal facilities. The question then arises whether they should be allowed to subscribe to the present Family

Pension Fund or should have a special fund of their own. The present fund is based on the statistics and circumstances of the European members of the service, and the vital statistics and the circumstances of the Indian members are probably very divergent. It would be unfair that the European members should have their contributions raised in order to allow of the admission of Indian members, but full information is not available to show how far this would be necessary. Subject to this there would be no objection to their joining the fund, but, in the first instance, for 20 or 30 years, the funds should be kept separate and the contributions regulated separately in the *pro formâ* account until sufficient information has been acquired to show what differences in contributions and conditions are necessary in the case of Indians to prevent an unfair burden being thrown on the European members of the service.

15618. (134) Have you any criticisms to make on the facilities at present offered (*a*) to statutory civilians; (*b*) to members of the Provincial Civil Services holding listed posts, for providing for their families against their decease?—These officers are entitled to subscribe to the General Provident Fund. In their case it does not appear necessary to make the contributions compulsory or to give them any further facilities for saving. The conditions of Indian family life remove the chief object of compulsion, and the offer of better terms than can be obtained elsewhere for voluntary savings does not seem to be required.

Written answers relating to the Provincial Civil Service.

15619. (1) Please refer to Government of India Resolution No. 1046-58, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable.

15620. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—A copy of the rules is annexed. They are based on the following conditions: an indispensable preliminary educational qualification; nomination through the Syndicate of the University of the most distinguished graduates; the recognition of the claims of all parts of the province and of all main classes of the community; the retention, by Government, of sufficient direct nominations to remedy inequalities in the working of the other methods of recruitment and to meet special cases; and promotion from the subordinate service. The actual proportions to be recruited by each method are liable to alteration from time to time, but the rules themselves are considered suitable.

No. 3071 A.—D., dated Darjeeling, the 20th Aug. 1912.

NOTIFICATION.—By the Government of Bengal, Appointment Department.

THE rules for admission into the Executive branch of the Provincial Civil Service and into the Subordinate Civil Service in Bengal and Eastern Bengal and Assam were last revised in 1909 and were published under notifications dated the 10th June 1909. It was stated in the preamble to the notification of the Government of Bengal that the arrangements then made were sanctioned temporarily with the object of increasing the opportunities for providing qualified probationers in both services with appointments in the regular grades and of accelerating the promotion of qualified officers from the lower to the higher service. The latter object has, to a great extent, been attained; but as regards the former the result has not been all that could be desired. The difficulty of providing qualified probationers with appointments within a suitable limit of time was also apprehended by the Government of Eastern Bengal and Assam, and its annual recruitment was on this account reduced on the last occasion. The position is not altered materially by the territorial changes and the consequent redistribution of officers, as it is found that in both services in Bengal, some of the probationers appointed in 1910 are still waiting for appointments. Accordingly, the question of revising the rate of recruitment of both services has been under the consideration of Government for some time, but, for various reasons, it has not been possible yet to come to a final conclusion as to the normal rate of decrement for which provision should be made. Meanwhile, as the time for the annual recruitment is drawing nigh, the Governor in Council has decided to make twelve appointments of Probationary Deputy Collectors and ten appointments of Probationary Sub-Deputy Collectors during the current year in view of the circumstances just referred to and of the fact that the strength of the Provincial Civil Service in Bengal has been reduced in consequence of the reconstitution of the province from 354 to 299 and that of the Subordinate Civil Service from 182 to 175.

2. In revising the rules, those which were in force in Eastern Bengal and Assam have been fully considered. The rules regulating confirmation and promotion are still under consideration. The following provisional revised rules for the recruitment of the Provincial and the Subordinate Civil Services are now published for general information:—

Provisional revised rules for the recruitment of the Executive branch of the Provincial Civil Service.

Definition.—The Executive branch of the Provincial Civil Service includes Deputy Collectors and Deputy Magistrates.

Rule 1.—The Governor in Council will determine from time to time what proportion of appointments to the Executive branch of the Provincial Civil Service shall be made (1) by promotion of selected officers who are already in the Government service, and (2) by selection.

Rule 2.—It is estimated that 12 appointments in all will be made annually. They will be made in accordance with the following rules.

Rule 3.—Three of these appointments will be made by the promotion of officers who are already in the Subordinate Civil Service. By the 1st October each year, the Financial Secretary should forward to the Appointment Department one nomination, the Revenue Secretary, two nominations, and the Board of Revenue, two nominations. The nominations of the two former should be made after consulting the heads of subordinate departments and those of the Board of Revenue after consultation with Commissioners of divisions.

The age of an officer nominated under this rule should not exceed 40 years.

Rule 4.—The Governor in Council will retain three appointments in his own hands. Applicants for appointments under this rule should always state in their applications whether they will accept an appointment in the Subordinate Civil Service in case it is not possible to provide them with an appointment in the Provincial Civil Service.

Rule 5.—Six nominations shall be made on the 1st of October by the following officers:—By the Commissioners of the Presidency, Burdwan and Dacca Divisions every year and the Commissioners of the Rajshahi and Chittagong Divisions in alternate years, beginning with Rajshahi, 4; by the Syndicate of the Calcutta University 2. Total 6.

Rule 6.—The Government of India or the Local Government may, in very special cases, make direct appointments to offices in the higher grades of the Provincial Civil Service.

Rule 7.—The four appointments to be made on the nomination of Commissioners will be filled in accordance with the conditions laid down in rules 8, 9, 10 and 11.

Rule 8. (*a*)—The indispensable qualifications for a candidate for appointment by recruitment are (1) that he is a natural-born subject of His Majesty or of a Native State; (2) that he is not under 20 or over 25 years of age; (3) that he is of good character; (4) that he is a graduate; and (5) that he is of sound health, good physique and active habits, and free from organic defect or bodily infirmity.

(*b*)—In the case of candidates who are not Natives of the Presidency, recent residence of at least three years in it should, as a general rule, be an essential condition of selection. No barrister, advocate or pleader should be appointed as such unless he has been at least three years actually practising his profession in India and can speak the vernacular of the Presidency.

Rule 9.—Europeans who do not satisfy the definition of Natives of India, contained in section 6, Statute 33, Victoria, Chapter 3, are not eligible for appointment to the Provincial Service without the previous sanction in each case of the Government of India. With such sanction they may be appointed, if they satisfy the conditions laid down in rule 8 (*a*) and (*b*).

Rule 10.—All candidates for appointment by recruitment must furnish satisfactory evidence that they possess a thorough knowledge of Bengali. Candidates who have not already passed some recognized examination in the subject will be required to pass a special examination before admission. The object of the examination will be to test the candidate's general knowledge of the language and his ability to write and read the written character with facility.

Rule 11 (*a*)—Every district officer* will submit to the Commissioner who is to nominate under rule 5, on or before a date to be fixed by the latter, the names of two or three candidates (as the Commissioner may direct) belonging to families resident or domiciled in his district, for the Provincial Civil Service. In submitting these names he will give, in Form I appended to these rules, a brief statement of the grounds of his recommendation in each case. The nominees under this rule must be non-official, but this does not exclude the nomination of Honorary Magistrates.

(*b*) Form I must be accompanied by a certificate of the Registrar of the University that the candidate has obtained a degree, a certificate of character and conduct from the principal of the institution at which the candidate last studied for not less than one year, or from some responsible officer of Government, a medical certificate in Form II appended to these rules, and evidence of the candidate's age.

(*c*) The Commissioner and the district officers of the division will meet on a date to be fixed by the Commissioner, and will consider the claims of all the candidates nominated. They will also call the candidates before them, and see and converse with them so as to form an opinion regarding their suitability for the public service. The Commissioner will then select two names and submit them in order of preference to the one first entered. With his report submitting these names the Commissioner will submit Form I for all candidates, entering in each case, in the last column of that form, his own opinion as to the suitability of the candidate.

(*d*) Every candidate nominated by a Commissioner must be domiciled in his division, or if the nominee himself be resident outside the division for the purpose of education, his family must be resident or permanently domiciled in the division. In making nominations special attention should be paid to the desirability of securing a fair share of appointments to each important section of the community, to social qualifications and family status and influence, to services rendered by the candidate's father, and to distinctions obtained in the University.

Rule 12.—The Syndicate of the University will be invited annually to nominate four graduates of high character and of great academical distinction. The nominations will be made, subject to the restriction † laid down in condition V under paragraph 3 of the Resolution of the Government of India, No. 1046—1058, dated the 19th August 1910, in accordance with the conditions laid down in rules 8, 9 and 10. From amongst these or from amongst graduates previously nominated by the Syndicate and who have not passed the age of 25 years, the Governor in Council will, after enquiry, select two persons to be Probationary Deputy Magistrates.

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* In the Presidency Division this term includes the Chairman of the Calcutta Corporation.

† "V.—Admission to the Provincial Civil Service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission."

Rule 13.—Every Probationary Deputy Collector, appointed by recruitment, must furnish, either before appointment or within a specified time after appointment, a certificate of his ability to ride, signed by a district officer or by the Joint-Magistrate in charge, or by the Commissioner or Deputy Commissioner of Police, Calcutta.

Rule 14.—The minimum term of probation will be one year. On termination of that period appointments will be given to approved probationers as vacancies in the cadre occur: Provided that, in special cases, the Local Government may declare the period of probation or training prescribed for persons appointed to the Provincial Civil Service by direct recruitment to be unnecessary. Probationers will receive a subsistence allowance of Rs. 100 per mensem. Probationers already drawing more than Rs. 100 per mensem in Government service will, however, receive an allowance equal to the salary of their former appointment or to the pay of a Deputy Collector of the lowest grade, whichever is less.

FORM I.

Column 1.—Name of candidate and address in full.

Column 2.—Father's name, profession or occupation, and address in full.

Column 3.—Religion and caste or race.

Column 4.—Date of birth (day and month to be given).

Column 5.—Educational qualifications and places of education during the preceding four years, with dates.

Column 6.—Other information regarding the candidate (physique, moral character, present occupation, etc.).

Column 7.—A memorandum of the status and services of members of the family.

Column 8.—Special claims for consideration.

Column 9.—Remarks indicating degree of district officer's personal knowledge of candidate and sources of information about him, with Commissioner's opinion as to the suitability of the candidate.

FORM II.

(Bengal Civil Medical Department Form No. 38.)

[*Medical certificate under Bengal Government Resolution No. 3399 Medl., dated the 30th June 1897.*]

SPECIAL CERTIFICATE OF PHYSICAL FITNESS FOR GOVERNMENT SERVICE.

I, ,* do hereby certify that I have examined , a candidate for employment in . His age is by his own statement years and by appearance years.

(*a*) General conformation.
(*b*) Vision.
(*c*) Hearing.
(*d*) Lungs.
(*e*) Heart.
(*f*) Liver.
(*g*) Spleen.
(*h*) Hernia, present or absent.*
(*i*) Hydrocele, present or absent.*
(*k*) Glycosuria, present or absent.*
(*l*) Albuminuria, present or absent.*
(*m*) Distinguishing marks.

I consider that he is of sound health and good physique, and capable of bearing fatigue and exposure, and that he is fit to enter the service of Government †

I consider him unfit to enter the service of Government for the reason given at†

PLACE
Date } *Civil Surgeon.*

* Designation of medical officers.

* Strike out "present" or "absent" in *h*, *i*, *k*, and *l*, and whichever of the concluding sentences does not apply.

Provisional revised rules for the recruitment of the Subordinate Civil Service.

Definition.—The Subordinate Civil Service includes Sub-Deputy Collectorship and any other appointments which the Governor in Council may from time to time specially declare to be included therein.

Rule 1.—It is estimated that 10 appointments of probationary Sub-Deputy Collectors will be made annually.

Rule 2.—Five of these appointments, one for each division, will be made upon the nominations of Commissioners of divisions. With the exception that there will be one appointment for each division, the appointments will be made in the manner prescribed in rules 8, 10 and 11 of the rules for admission into the executive branch of the Provincial Civil Service.

Rule 3.—The Governor in Council will retain three appointments in his own hands.

Rule 4.—Two appointments will be made on the nomination of the Financial and the Revenue Departments and the Board of Revenue from among officers serving in departments under them. The Financial Department will forward one nomination, and the Revenue Department and Board of Revenue, two each. A nominee under this rule must not ordinarily exceed 40 years of age.

Rule 5.—Rules 13 and 14 of the rules for admission into the Executive branch of the Provincial Civil Service apply *mutatis mutandis* to the Subordinate Civil Service also. The usual subsistence allowance of Probationary Sub-Deputy Collectors will, however, be Rs. 50 per mensem.

15621. (3) Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province?—The statement is correct.

15622. (4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—In 1868 a combined system of nomination and competition was introduced. The Lieutenant-Governor nominated three candidates for every vacancy and the final selection was made by competitive examination. So many candidates were selected in the first year that it took three years to absorb them. In 1871, a Native Civil Service examination was started; this was not competitive, but all who were declared to have passed received a certificate that they were fitted for appointment. The standard was raised in 1875, but even after that there were 80 passed candidates qualified for the higher grade and 120 for the lower grade, for whom there was no prospect of providing appointments and many more had accepted lower appointments in the hope of promotion. It was then decided that, subject to a minimum of passing marks, a certain number of the vacancies each year should be allotted by competition. During Sir Ashley Eden's time pure nomination was reverted to. Sir Rivers Thompson again introduced some measure of competition, allowing the qualified candidates and those on the registers for appointments to compete. After due consideration of the claims of candidates who had been encouraged to hope for appointments, the system was finally adopted in the rules of 1893. These provided for recruitment (i) by direct competition, (ii) by selection from among candidates after examination, and (iii) by promotion from among selected officers who were already in the Subordinate Civil Service. The normal working of this system was that a certain number of the vacancies were reserved for promotion from the Subordinate Service. The two or three candidates who stood first in the competitive examination received appointments, and the rest of the appointments were given to candidates who had obtained at least one-third of the total marks. The Lieutenant-Governor reserved the power to make direct appointments apart from the results of the competitive examinations. In 1905, the present system was introduced and competition was abolished. Normally, 25 per cent. of the vacancies are reserved for promotion from the Subordinate Service, but the numbers have been considerably increased in the last three years. A number corresponding to the number of Commissionerships is reserved for local nomination; the Collectors nominate in the first instance, and a preliminary selection is made by the Commissioner in conference with the Collectors; the final selection is then made from the Commissioner's nominees by Government. In order to attract the best University men, the Syndicate is asked to nominate a fixed number of candidates from whom a selection is made by Government. The remainder of the appointments are made by the head of the province direct. A statement is appended showing the total number of appointments in each year since 1884, and in the column of remarks is shown the number in each year who were appointed by competition alone:—

Open Competition and Nomination.

YEAR.	HINDU.			Muhammadan.	Hill-man.	Indian Christian.	Eurasian.	European.	Total.	REMARKS.
	Bengali.	Bihari.	Uriya.							
										Competitive—
1884 ...	4	..	...	...	..	...	...	...	4	Hindu (Bengali) ... 4
1885 ...	11	...	...	...	...	...	...	...	11	Ditto ... 11
1886 ...	10	...	...	..	...	...	...	...	10	Ditto . 10
1887 ...	7	...	...	...	...	...	...	...	7	Ditto ... 7
1888 ...	6	...	...	...	...	...	...	...	6	Ditto .. 6
1889 ...	...	...	...	...	...	...	...	...	...	No examination was held this year.
1890 ...	9	...	...	2	...	...	...	...	11	Hindu (Bengali) 9 Muhammadan 2 } 11
1891 ...	18	...	...	4	...	...	2	...	24	Hindu (Bengali) 18 Muhammadan 4 Eurasian 2 } 24
1892 ...	18	...	...	3	...	...	1	...	22	Hindu (Bengali) ... 10
1893 ...	10	1	1	1	..	1	2	...	16	Ditto ... 4
1894 ...	6	2	...	2	...	...	1	...	11	Ditto ... 4
1895 ...	3	1	...	1	...	...	2	...	7	Hindu— (Bengali) 3 (Bihari) 1 } 4

Open Competition and Nomination.—concluded.

YEAR.	HINDU.			Muhammadan.	Hill-man.	Indian Christian.	Eurasian.	European.	Total.	REMARKS.
	Bengali.	Behari.	Uriya.							
										Competitive.—*concluded.*
1896 ...	4	1	...	1	...	...	1	...	7	Hindu (Bengali) ... 4
1897 ...	4	...	...	2	...	...	1	...	7	Ditto ... 4
1898 ...	2	...	...	1	...	...	...	...	3	Ditto ... 2
1899 ...	2	...	...	1	..	...	...	...	3	Ditto ... 2
1900 ...	7	...	3	...	...	1	2	...	13	Ditto ... 1
1901 ...	13	1	1	4	...	...	2	...	21	Ditto ... 3
1902 ...	9	1	...	2	...	...	2	...	14	Ditto ... 5
1903 ...	12	...	2	5	...	3	4	...	26	Ditto ... 3
1904 ...	22	4	3	9	...	1	5	...	44	Ditto .. 4
Total ...	177	11	10	38	...	6	25	...	267	

Nomination (Bengal).

YEAR.	HINDU.			Muhammadan.	Hill-man.	Indian Christian.	Eurasian.	European.	Total.
	Bengali.	Bihari.	Uriya.						
1905 ...	13	1	1	3	1	1	5	...	25
1906 ...	35	8	5	16	...	3	12	...	79
1907 ..	9	4	1	5	...	2	3	...	24
1908 ...	11	2	2	4	...	...	2	...	21
1909 ...	11	2	1	6	...	1	1	...	22
1910 ...	9	2	...	6	...	...	2	...	19
1911 ...	9	2	...	3	1	...	3	...	18
1912 ...	8	...	...	4	...	...	...	...	12
Total ...	105	21	10	47	2	7	28	...	220

Nomination. (Eastern Bengal and Assam).

YEAR.		HINDU.		Muhammadan.	Hillman.	Indian Christian.	Eurasian.	European.	Total.
		Bengali.	Assamese.						
1905	...	2	...	1	...	...	...	...	3
1906	...	5	2	5	...	...	2	...	14
1907	...	7	...	9	...	..	6	...	22
1908	...	8	1	8	...	...	2	...	19
1909	...	4	...	4	...	1	1	...	10
1910	...	10	2	5	...	...	6	...	23
1911	...	9	3	6	...		2	...	20
1912	...	2	1	1	1	...		...	5
Total	..	47	9	39	1	1	19	...	116
GRAND TOTAL	...	...	...	...	...	...	...	...	336

15623. (5) Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year?—The statement appended to the last question gives all the information that is available; it is in many cases difficult to distinguish between Europeans and Eurasians, but the number, who are not Natives of India, is so small as to be negligible.

15624. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment, do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The principal point is whether the recruitment shall be mainly direct or from the subordinate service. The principles adopted by the Public Service Commission in 1886 favour direct recruitment as the normal method; the advantages are that a better class of men can be obtained for a service where the initial pay is Rs. 250 than for one with an initial pay of Rs. 100, and that for the higher status and work of the Provincial Service it is desirable to directly recruit young men rather than to take men of a more advanced age who have spent part of their youth in a subordinate service. On the other hand, the class of man who enters the subordinate service now differs very little from the Provincial Service recruit and he does work that does not vary much in kind from that of the higher service; and the prospect of promotion undoubtedly attracts a better class to the lower service. It may be argued, however, that if the work demands these higher qualifications, it should be included in the work of the Provincial Service and the latter service should be enlarged, reducing the subordinate service, to work for which these high qualifications are not necessary. The present system of giving 25 per cent. of the vacancies to the lower service is a compromise which has worked well. Turning to direct recruitment, it may be said that under any of the systems mentioned, Government will obtain men of very much the same qualification and practically the best men available. There is no marked difference between the abilities of the men obtained by competition and those obtained by nomination. The method of recruitment must, therefore, depend upon political consideration of the best method of adequately representing all interests. The removal of Bihar and Orissa lessens the divergencies in the province, but there are enough classes and communities left to make the question one of considerable difficulty. The notes on the statement appended to question (4) show conclusively that, regarded only from the point of view of representing interests, open competition is out of the question. Any system of competition after nomination would have the same results as far as class interests are concerned, and Government would be in the invidious position of having to use its nominations entirely in the interests of one class. On the other hand, nomination does place Government in an invidious position in making a selection from candidates whose merits are practically equal, though under the present system the responsibility is shared to a considerable extent by Commissioners and district officers. On the whole, the present system has worked well, and, in the absence of any other suggestions which will give the same results, should be maintained.

15625. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Only residents of the province should ordinarily be recruited, but there is no necessity for any hard-and-fast rule. Practically only such residents are recruited in Bengal.

15626. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—The statement appended to question (4) shows how far all classes and communities have been represented in the recruitment of the last 28 years. It is certainly desirable that all classes and communities should be represented, but a question may arise as to what is the meaning of "duly." Numbers, influence, education and race characteristics have all to be taken into consideration and also the number of qualified candidates available. The only method by which this representation can be secured is by some system which includes pure nomination.

15627. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—All members of the Provincial Service on appointment are on probation for not less than one year. During this time they are trained so as to get as much experience as possible in magisterial and revenue courts with a view to acquire a knowledge of official routine. They are trained for three months in the magisterial department and for nine months in the revenue department. They have to attend the court of a first-class Magistrate and prepare a full, complete and careful record of the depositions of the witnesses and a concise summary of the evidence taken. They are required to take notes of the arguments of the pleaders, discuss the application of the law to the facts and write a decision. This must be done in at least six defended cases. They also have to inspect the registers and departments. On the revenue side, they are expected to make *précis* of cases and draft letters, to check accounts and inspect the work of each department. On confirmation, before they take the departmental examinations, they are required to prepare a record of six cases tried by a first-class Magistrate and six defended sessions cases; the record consists of a summary of evidence with notes as to its admissibility and relevance and notes on the procedure with re-reference to the Codes. They have also to be in charge of a district treasury for six weeks before passing in accounts. The training has been recently revised and appears to be satisfactory.

15628. (10) Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—The existing system is suitable.

15629. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No alterations appear to be necessary.

15630. (12) What is the system on which the strength of the $\frac{\text{executive}}{\text{judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The number of executive posts necessary for the administration less the number of junior civilians in training normally available for these posts is the basis of the strength of the executive branch of the Provincial Civil Service. In this number, besides the general administration, are included the special departments, Settlement, Batwara, Excise, etc., which include a number of technically temporary appointments which, taken together, are practically permanent; an allowance for deputation is included and a leave reserve of 14 per cent. is calculated on the strength so obtained. The system works satisfactorily.

15631. (13) In particular, is leave reserve adequate, and the system on which it is graded suitable?—The leave reserve is 14 per cent. based on the calculation that 7 per cent. is necessary for privilege leave and 7 per cent. for other leave. The leave reserve was added to the service in the reorganization of 1899 and was formed into a new grade on Rs. 200, the lowest grade having hitherto been on Rs. 250. This eighth grade was abolished from the 1st of January 1912 and its members added to the 7th grade on Rs. 250. There have been no complaints that the leave reserve is inadequate, and it seems correct that it should be placed in the lowest grade. In 1911, only 7·7 per cent. were on leave throughout the year.

15632. (14) Is there any reserve for officers under training, and is it adequate?—There is no reserve for officers under training. All executive officers are on probation for at least one year and are not then counted as part of the cadre, and it does not seem necessary to have any reserve for training in addition to this.

15633. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice, and does it secure an even flow of promotion?—The annual rate of recruitment for an ordinary service recruited in India is 3·82, but it was found that in fact this rate was not sufficient to keep the Provincial Service in Bengal up to its strength. The explanation of this lies in the fact that the officers who are promoted from the subordinate service enter the Provincial Service at a higher age and therefore serve less than the average time. A formula has now been devised by the Government of India based on the normal recruitment, but allowing for the average number of officers on deputation outside the cadre and for the average length of service already rendered by officers promoted from the subordinate service. In future this formula will be followed, and, as in the case of the Civil Service, a calculation will be made of the estimated condition of the service compared with its sanctioned strength, and, in case an excess is estimated, one-third of the excess will be deducted from the normal recruitment, and, in the case of a deficiency, one-third of the deficiency will be added to the normal recruitment.

15634. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Promotion to the fourth grade on Rs. 500 is by selection. The character reports are very carefully examined before promotion to this grade, and the selection is made fairly severe. There is no differentiation of work between the fourth and fifth grades as there is between a Joint Magistrate and a Collector in the Civil Service, but the grades above Rs. 400 are regarded as prize appointments and the best men are selected to fill them. No change of practice seems necessary.

15635. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Before grade promotions are made, an officer's character reports are considered and the interests of individual officers and of Government are safeguarded. Putting aside the question of listed appointments, the higher appointments are in the grades above Rs. 400, and the system of selection for these has been described. For special appointments, which are outside the grades but are filled from the Provincial Service, the best men suited for the appointments are selected. As regards the retirement of inefficient officers, this is not so necessary as in the case of the Civil Service, but at the same time, as the Provincial Service is not in the same sense a *corps d'élite*, there is more possibility of officers being found inefficient on trial. It is desirable that Government should have power under proper safeguards to retire a Provincial Service officer who has proved himself inefficient and is useless to the administration. There is no special point at which the fitness of a Provincial Service officer is specially considered except when his turn comes for promotion to the fourth grade or one of the higher grades, and an officer would therefore only be retired when his inefficiency had forced itself on the notice of Government.

15636. (18) To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The functions of the two branches are absolutely distinct *ab initio*.

15637. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The question of the listed posts system has been discussed in the answers regarding the Civil Service. In promotion to listed posts the claims of all whose service has been specially approved are considered and the best man selected. The tendency of late has been to select men at a younger age than formerly, and when this can be done without serious injustice to the senior men the practice should in future be followed.

15638. (21) Are you satisfied with the present designation "The Provincial Civil Service"?—The designation is in itself suitable and is not objected to by the members of the service.

15639. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed?—The principle is suitable.

15640. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The statement below gives the information required. The last general reorganization of the service was in 1899. Up to that date the cadre contained only the posts required for general administration; the special departments and deputations were provided for by seconding Deputy Collectors and appointing officiating men in their places, and officiating officers were also appointed in leave vacancies, but these having no permanent appointments were unable to count their service for leave or pension until there was room for them to be confirmed in the ordinary grades, and on the average this took about eight years. The service was, therefore, reorganized to include all the practically permanent appointments in which Deputy Collectors were normally employed and a leave reserve was added; officiating appointments were abolished and the service became a self-contained cadre. The leave reserve was constituted an eighth grade on Rs. 200, while the remaining extra appointments were added to the grades in which at the time the seconded men actually were, in whose places the officiating appointments had actually been made. The grading which had been fixed in 1882 was not adhered to. In 1906, an addition of 116 appointments was made to the Provincial Service, and these were divided between Bengal and Eastern Bengal. The grading adopted in 1899 was followed. With effect from 1st January 1912, the eighth grade which comprised the leave provision was abolished and the leave provision was added to the seventh grade on Rs. 250. On the 1st April, the eighth grade which had hitherto existed in Eastern Bengal was also abolished and its members added to the Bengal seventh grade—

EXECUTIVE BRANCH

Deputy Collectors.

Grade	Rate of pay.	Number of posts.		
		1st April 1890.	1st April 1900.	1st April 1912.
	Rs.			
I	800	7	7	5
II	700	9	9	7
III	600	19	19	16 (e)
IV	500	40	41	48 (f)
V	400	68	81 (b)	71 (g)
VI	300	65	97 (c)	73 (h)
VII	250	*46	78 (d)	79
VIII	200	28 (a)	33	...
Total ...	...	282	365	299

* Three posts not filled.

(a) In April 1890, there was no eighth grade, but the officers shown here were the probationary and officiating Deputy Collectors on Rs. 200 per mensem.

(b) This includes one appointment for the Personal Assistant to the Director of Land Records and Agriculture, Bengal.

(c) This includes one appointment for Angul and another for the Agricultural Lecturer of the Sibpur Engineering College.

(d) This includes one appointment for the Personal Assistant to the Inspector-General of Registration.

(e) This includes two posts added to this grade corresponding to the Joint-Magistrates of the first grade, now treated as open to the Bengal Provincial Civil Service.

(f) This includes two posts added to this grade corresponding to Joint-Magistrates of the second grade, now treated as open to the Bengal Provincial Civil Service.

(g) This includes two posts added to this grade corresponding to the two posts of Assistant Magistrates and Collectors on Rs. 500 per mensem, now treated as open to the Bengal Provincial Service.

(h) This includes two posts added to this grade corresponding to the two posts of Assistant Magistrates and Collectors on Rs. 450 per mensem, now treated as open to the Bengal Provincial Civil Service.

15641. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend? – There has been no difficulty in obtaining candidates of the best stamp, and, though requests have been made for a grade on Rs. 1,000, the present scale of pay seems to be sufficient to attract the qualifications desired. The grading is less liberal in the upper grades than that fixed by the Government of India in 1882.

15642. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?— Officiating grade promotions never have been made in the Provincial Service and the historical reason, which is the basis of those in the Civil Service, does not exist. There is no reason for their introduction and the system would give rise to a considerable increase of work in the Appointment Department and Accountant-General, Bengal's office; while the comparatively small amount of furlough taken by members of the Provincial Service would render the concession of less value than in the case of the Civil Service. If it is intended to better the prospects of the service, it would be more desirable to improve the grading.

15643. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—There does not appear to be any necessity for a time-scale in the Provincial Service, and the present graded system has worked well. A time-scale has a tendency to discourage energy and to remove to some extent the incentive to good work. Under the present system the work of each man is brought under review when his turn comes for grade promotion, and there is a continuous check on bad work which would be removed by a time-scale. A time-scale is only necessary where there is a bad grading, and in that case it would be better to improve the grading.

15644. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—The leave provision for the Provincial Civil Service was only allowed for in 1899; up to that time no officer could be given leave unless he could be spared without a substitute, or took sufficient leave to make it worth while to appoint a substitute in his place. The leave granted to the service was, therefore, very limited. Under present conditions leave is less often refused; the total amount of leave taken now is, therefore, higher than it used to be.

15645. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned, in your opinion, suitable? If not, what alternative arrangement do you suggest?—Under ordinary circumstances, Provincial Service officers take the full amount of privilege leave due to them; the only exception is when an officer is apprehensive that he may be transferred from a station that suits him. The amount that can be earned is suitable.

15646. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?— The total amount of furlough is two years; the total amount of leave, including medical leave and leave on private affairs, is five years in the course of the whole service. The full amount is very rarely taken, and there are very few officers who take the whole amount of ordinary furlough that is due to them. At the same time, the amount of ordinary furlough is by no means too liberal, and it is undesirable to restrict the amount of leave that may be taken on medical certificate.

15647. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Furlough allowances are at the rate of half average salary. This no doubt operates to restrict the amount of furlough taken, but no complaints have been made that the amount of the allowance in itself is inadequate.

15648. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The maximum leave allowance is Rs. 500, and this maximum is inoperative in the case of the Provincial Civil Service, because the highest salary in the grades is Rs. 800. Having regard to Indian conditions the minimum is not unfair.

15649. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, or other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—The present conditions seem suitable.

15650. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?—No inconvenience to the administration is caused by the present leave rules. Leave other than privilege leave is comparatively rarely taken, and privilege leave is not granted if it causes serious inconvenience.

15651. (38) In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—The present leave rules do not contribute in any way to excessive transfers.

15652. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—Under the present rules, ordinary furlough cannot be taken till after 10 years' service and thereafter only at intervals of eight years. These intervals in some cases are excessive and operate hardly. Leave on private affairs may only be taken if the officer has had no furlough, but an officer who has had leave on private affairs is not thereby debarred from furlough. Leave on medical certificate can only be taken out of India twice during the service, and is on half pay only for the first 15 months of each period and for 30 months in all. After these periods the allowances are restricted to quarter salary. These restrictions are vexatious and occasionally operate harshly, but the Government of India have recently consulted Local Governments on a proposal to allow medical leave unconditionally, subject to a total maximum of three years and a maximum at one time of two years; to allow ordinary furlough at the rate of one-tenth of active service to be taken at any time up to a maximum of two years; and to grant six months' special leave at any time during an officer's service. If these proposals are approved, the existing grievances will be removed.

15653. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system is satisfactory.

15654. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—If the power to compulsorily retire for proved inefficiency is given to Local Governments, it is necessary to provide an automatic scale of pensions. The subject is discussed fully under the questions relating to the Indian Civil Service. The rate of pensions should, for the reasons given there, be on the scale for invalid pensions.

15655. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Officers holding listed posts should, as already proposed, be eligible for the extra pensions of Rs. 1,000 a year under Article 475, Civil Service Regulations. In other respects the pensions are suitable.

15656. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The existing rules are satisfactory subject to the proposal for compulsory retirement for inefficiency.

15657. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The following table has been prepared to show the extent to which members of the executive branch of the Provincial Civil Service subscribe to the Provident Fund. The greatest proportion subscribe to the full permissible extent. In addition to the Provident Fund, very considerable advantage is taken of the system of Postal Insurance. As has already been stated, no further facilities appear to be necessary:—

				Officers.
Subscription at the rate of		$6\frac{1}{4}$	%	38
Do.	do.	$7\frac{13}{16}$	„	7
Do.	do.	$9\frac{3}{8}$	„	9
Do.	do.	$10\frac{15}{16}$	„	6
Do.	do.	$12\frac{1}{2}$	„	64
	Total		...	124

The sanctioned strength is 299.

The number of officers subscribing is 41·47 per cent. of the total strength.

15658. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—The existing organization of both the branches of the Provincial Civil Service appears to be satisfactory.

MR. H. L. STEPHENSON called and examined.

15659. (*Chairman.*) You are Financial Secretary to the Government of Bengal?—Yes.

15660. I understand that you were asked to afford us the information you have done in your written statement?—Yes, the Government put me on special duty for about six weeks to write up the papers and collect any information which might be of use to the Commission.

15661. Speaking on my own behalf and on behalf of my colleagues we are grateful to you for the extremely elaborate and comprehensive information that you have given us with regard to all the intricate and technical points connected with the Indian and Provincial Civil Services. The information will be of great value to us in many respects, and we thank you for it. I notice in answer to your first question that you seem to be generally in favour of the retention of open competition?—Yes.

15662. You lay stress upon the point that open competitive examinations can only be successful if they are coupled with good terms of service?—Yes.

15663. You say: "The objections to these systems would not be so strong if the selection was made after the open examination." Can you tell us why you do not see objections after where you would before?—I do see objections after; but the particular objections would not be so strong: that is to say, if after the open competitive examination you have got in your men you then had a rigid rejection of the unfit as to character and antecedents, and so on, you would still have given them all the opportunity of coming up. I think selection before the open examination would not in the same way give them all the opportunity of coming up.

15664. Would not selection after examination, at any rate, raise the objection that there was no guarantee for those who succeeded in entering the service?—I do not approve of selection after examination.

15665. That, you think, would be a serious obstacle?—I think so. I do not think it is a feasible thing at all.

15666. With regard to the age-limit, you suggest that after a review of all the various age-limits that have been in practice during past years it should revert to 21-23?—Yes.

15667. And you argue in favour of that, first on the ground that those who voluntarily come forward for India at that age, if they were not successful, would have a chance afterwards of going into the Home Civil Service?—In that way you would get all those who want an Indian career,—all those who under the present system choose India in preference to going into the Home Civil Service; and I think you would also get some of those who prefer the Home Civil under the present system, if you put the age earlier they would be willing to go up in order to get into the Indian Civil rather than risk the Home Civil later on.

15668. It gives them a second string?—It gives them a second string.

15669. Would that age, in your judgment, be equally convenient to Indians as well as to Europeans?—Of course: the age was never fixed with any special regard to Indians.

15670. Is it not important that it should be fixed so as to give some advantage to Indians?—I think it important that it should be fixed with regard to the necessity for European training.

15671. Is it not important that the age should be fixed as far as possible in order to be convenient for Indians to have that European training, and in order that they may have an opportunity of entering and competing and being successful at the examination?—Certainly.

15672. I was asking whether, in your experience of conditions in India, the ages of 21 to 23 would be as convenient limits as the present of 22 to 24?—I think on the whole, from the Indian point of view, 22 to 24 would probably be more convenient; because in the ordinary way they would desire to take their degree in India before going home; but I do not know that there is any object in giving further facilities in that direction because it restricts the time of training at home before the examination.

15673. If it was inconvenient to Indians, it would present a very serious objection in view of the fact that you are not prepared to advocate any other form of entry; it might have, might it not, a restrictive effect upon the number of candidates?—I do not think that the past history of the ages does show that any more have gone up, or got in, since the age was raised. It would certainly be a consideration if it is a fact that more have got in since the age has been raised than they did under the old age.

15674. Looking at it from a European point of view, would age limits of 21 to 22 exclude graduates from Scotch Universities who are in the habit of coming up and taking their degree at Oxford or Cambridge?—I am afraid I do not know very much about the Scotch Universities.

15675. You know that that is the practice?—Yes.

15676. And that many men enter the service by that means?—Yes. The age was 21 to 23 when I got in, and to the best of my recollection, the candidates from Scotch Universities did come up at that time.

15677. In answer to question (7), one of your objections to simultaneous examination is that Indians recruited in India could not hope to acquire British characteristics; they would not be able to acquire them in your judgment, during the period of probation which they would go through after examination?—I think it is too late.

15678. Are you satisfied that those characteristics which you hold as important are being obtained under the existing system?—No.

15679. Your answer with reference to this question of an extra door being provided for the admission of Indians is that you base the whole of your scheme exclusively on what you regard as cardinal features, namely, the efficiency and economy of the service: is not that so?—Meaning by "efficiency" the characteristics acquired by European training.

15680. I am pointing to your words here, "efficiency and economy."—Yes, the necessity of getting the characteristics which could only be obtained by European training.

15681. Would you admit that the desire on the part of educated Indians to-day for wider opportunity is an important feature in this problem?—Certainly.

15682. In answer to the question as to the alternative scheme of separate examination, you object to separate examination, I understand, because you say that such an examination would not produce men of the same calibre as those who enter by the English examination?—I object to separate examination on the ground that it is open to all the objections of a simultaneous examination, and to the extra objection that you do not get them into the same service.

15683. That is practically what I say, you do not get the same men?—You would get the same men.

15684. You say that the men who would enter by separate examination would only be of the calibre of the Provincial Civil Service?—They would be the same men who would probably enter by simultaneous examination.

15685. They might be drawn from the same class?—Yes.

15686. But would they be the same men intellectually, and generally from the point of view of efficiency, if they had succeeded in passing a stiff examination, although that examination might be a separate one from the English one, and would you still regard them as being in the same category as men who enter the Provincial Civil Service?—I think the essential point is the European training. If they have not got the European training, I do not think it matters whether they come in by simultaneous examination or by a separate examination of the same standard or a lower standard; you would probably get the same class of men,—the best men who are willing to take Government service who have not been home.

15687. Would some of your objections to a separate examination be removed if, coupled with that examination, Indians were provided with an adequate English training or probation?—Provided the English training came early enough for them to imbibe the characteristics and character which are ordinarily given by a European training.

15688. If it came immediately after the examination?—That would be too late. It depends upon what the age is at the time of the examination. If you had your examination at the maximum limit of 21, I think the character is set by then. The Indian who gets in at 21 can go home and study European institutions; but it is too late for him to alter his character, or to have his character moulded for him in any way.

15689. I gather, therefore, that your objection to this form of entry is largely based, upon the difficulties of giving the Indian this British training?—Yes.

15690. And if that British training could be given, some of your objections would be removed?—Certainly.

15691. Then you say that recruitment by a separate examination would entail the curtailment of the field for the Provincial Civil Service: why, necessarily, should the listed post system be abolished if some form of examination were established?—There again, that depends entirely upon the European training. It is necessary to have a European-trained service for a certain proportion of the higher posts. If you bring in an Indian-trained service you have got your whole administration divided into two: the posts and duties which necessarily must be performed by European-trained servants, and those that can be performed by Indian-trained servants. At present those that can be performed by Indian-trained servants are performed by the Provincial Service. If you bring in another Indian-trained service you restrict the opportunities for the extension of the employment of the Provincial Service.

15692. It is quite compatible. There is no insuperable obstacle in the way of Indians passing into the service through the examination, and Indians passing up the service into listed posts?—Yes; they are quite compatible. I would extend the system of listed posts.

15693. With regard to listed posts, you say that all listed posts except the Under-Secretaryship are filled from the Provincial Civil Service, and that this is the most effective means of securing ability and merit for responsible posts?—All the present listed posts have been filled by Provincial officers except the Under-Secretaryship.

15694. You say that, "The power should be retained to provide for exceptional cases, but it is unlikely to be much utilized because a training in the actual work of administration is necessary before appointment to a superior listed post?"—That is the power which Government already has to appoint a man to a listed post who is not in the Provincial Service. It is conceivable that you might have a man in some other branch of the public service, or, possibly, a man who has shown ability in business who would be willing to take Government appointment and who would be obviously suitable for a listed post. In that case it is as well to retain the power to appoint him.

15695. You do not object to that power being continued provided it is exercised with discretion?—The power is at present limited to one-fourth of the listed posts.

15696. You have no objection to that?—I do not think it will be exercised, because the Provincial Civil Service is the only field in which you can prove merit in this particular direction.

15697. It varies in provinces; and some provinces exercise that power more than others?—I do not know. The rules are the same.

15698. In answer to question (38) you say: "The system of listed posts is logical and admits of an increasing sphere of higher employment for Indian agency. But it cannot be based on any consideration of proportions. The number of such posts must depend on the number of light districts or whatever other class of posts it is considered can safely be held by Indians, and on the general consideration whether European control can be further restricted without the risk of impairing unduly the English ideals of administration." You set considerable store upon that, do you not?—I do not say that there is no room for an increase in the number of Indians to be appointed to listed posts.

15699. Do you think that there is room for increase?—Yes, I do.

15700. You think that there are districts in Bengal where, in perfect compliance with your conditions, more Indians could be appointed to the higher posts?—Yes, with this qualification, that owing to financial or other reasons the European-trained agency has been cut so very fine that there is no reserve for emergencies. If listing more of those posts means a reduction of that European-trained agency still further, then I think there would be considerable objections. And that is what I think the European non-official community mean when they say that the field for the employment of Indians in higher posts cannot be extended. If you increase the number of these posts, and keep the European-trained agency at its present figure, there can be no objection at all to increasing the number of listed posts. There are districts which could be held perfectly well by an Indian, and there have been many more districts than there are now which in turn have all been held by Indians; but the reserve of European-trained agency to go round these districts at periodical intervals cannot be reduced.

15701. Is your objection to reducing the European element due to the belief that these posts now occupied by Europeans could not with advantage and efficiency be occupied by Indians?—Each post would have to be considered on its own merits.

15702. With your knowledge of Bengal, you consider that there are districts to-day occupied by Europeans which could with equal advantage be held by Indians?—Certainly, I do not say altogether permanently: it might be necessary to send a civilian there from time to time.

15703. But they could go?—Yes. There are districts which have been held by Indians which are now held by Europeans, which could again, to-morrow, be held by Indians, provided that the European-trained element is not reduced.

15704. That is your cardinal point, that the cadre of Europeans should not be reduced?—Yes.

15705. You have no objection to the cadre of Indians being increased?—Not the least.

15706. Do you know cases in Bengal in which Indian members of the Indian Civil Service have been passed over for promotion to the higher posts?—I have known of no cases where an Indian has been passed over, during the time I have been here. I know of one case, however, where an Indian was not put into a Commissionership; but I know of no Indian being passed over for a District Magistrateship or Judgeship.

15707. So that, as far as your experience goes, Indians have got their promotion in due course?—Yes.

15708. Talking of inferior listed posts you say, "This system has practically been abrogated by the system of recruitment finally adopted in 1906?"—Yes.

15709. You mean by that that eight appointments listed in Bengal for Joint and Assistant Magistrates are appointments held by European civilians partly for training purposes with a view to their passing later on to the higher posts?—Yes.

15710. And that although they are nominally merged in the inferior listed posts they are really Provincial Service posts?—They are really Provincial Service posts which were held by civilians for the purposes of training. It is a purely paper transaction. You cut off so many, and you still have got to put your civilians into equivalent posts in order to train them.

15711. So that the existence of those posts in no way interferes with the posts of a similar character which are open to Indians?—Not the least.

15712. With regard to the training of European civilians, do you think that any improvement can be made with regard to that system which is now in practice of placing them under Collectors?—I do not think so.

15713. We have had a good deal of evidence before us with regard to this point, and it is a very important one. The young civilian when he enters his work should get into complete harmony with the people with whom he is going to work, and this requires certain training?—Yes.

15714. We have also had evidence to some extent that that training has been absent. We should like to have what information we can get, and what advice we can get, with regard to training of the most practical character for those young civilians in the first two years of their arrival out in India. Have you anything to suggest beyond what is now the practice?—The training now in practice depends entirely upon the personality of the Collector. If he takes an interest in the young civilian and tells him what to do, and how to do it, I think it is of great advantage.

15715. That is a very important element. I suppose there is another important element to be considered. All Collectors are very hard worked, and some even harder than others; and it would be difficult for those who are hardest worked, to devote even the most slender amount of time to training of that character?—Yes; but, on the other hand, the training of that character need not necessarily depend upon the amount of time the Collector can devote to it. It is generally the practice for the newly-joined Assistant to live with the Collector; and in the course of his ordinary life he can probably learn a great deal from him, and imbibe a great deal from him, without taking up any of the Collector's time.

15716. So that it really comes to this, that it depends largely upon the idiosyncrasies of the Collector himself?—Very largely.

15717. It depends very largely upon the Collector as to whether the young civilian gets a good training, or not?—Yes, on those lines. Of course the young civilian can get up his book-work without much reference to the Collector. In other respects it does depend very largely upon the Collector, and not only upon the Collector, but also, if there is a Joint in the station, upon him and the Judge. It depends upon them; but it depends principally upon the Collector.

15718. Your answers to a series of questions with regard to leave and rate of pay will be useful to us; and I gather from your answers that these systems work out as nearly correct as possible?—Yes.

15719. So that there really is nothing more to be said upon that?—No.

15720. In answer to question (87) you deal with compulsory retirement for inefficiency as distinguished from misconduct?—Yes.

15721. You lay down, first of all, that nobody should be retired in the first five years?—That is so. The reason one takes five years is because no man has earned even an invalid pension until after five years—he is only entitled to a gratuity until after five years; so that that is a distinct line there. During the first five years I do not think it is fair to judge any man as to what his future capabilities may be. If he is sufficient to pass the Civil Service Commissioners, in the course of five years, it is difficult to say that the Civil Service Commissioners were absolutely wrong.

15722. So that whatever detriment there might be to the service it might be allowed in view of the desirability of giving an officer a fair chance?—I do not think there could be any detriment to the service with a man of five years.

15723. He is in a subordinate position, and would not do much harm?—If he were so bad as all that he would not be put in charge of a subdivision. He would be kept at headquarters, and his work would be absolutely under supervision.

15724. After five years you are in favour of a system of compulsory retirement for inefficiency?—Yes.

15725. And you suggest all the proper safeguards to avoid any abuse or bias in such cases?—Yes.

15726. Not only would the case have to pass through the hands of the Local Government, and of the Government of India, but it would have to be enquired into by a Committee?—Yes.

15727. And after all that process had been gone through, the sanction of the Secretary of State must be obtained?—The orders of the Secretary of State. I think it is important that the Secretary of State should pass the orders, and not the Local Government, or the Government of India.

15728. You consider that that machinery which you set up would avoid any possible chance of undue bias or prejudice entering into the decision?—It is more to avoid the suspicion of undue bias entering into it. It is really to satisfy the sentiment of the Civil Service. It is a matter which was felt very strongly at the time the proposal was made.

15729. When you retire him you would give him full medical pension?—Yes, I would.

15730. In the case of a Commissioner who is passed over, you would not regard that as inefficiency: he would be allowed to go on?—*Ex hypothesi* he is efficient as a Collector, and he has not a vested right to be appointed a Commissioner.

15731. In answer to question (92), with regard to pay you say: "The pay of the main posts of the Civil Service has remained unaltered for half a century, and meanwhile the value of the salary has been decreased by one-third?"—The purchase value of the salary.

15732. And you say that the executive compares unfavourably with the judicial, and requires better treatment?—The judicial always has been higher paid than the executive, on the grounds that you want to attract men into the judicial, whilst the executive has other attractions.

15733. You make some specific proposals with regard to giving a better rate of pay?—No. I say that the grading of the Magistrates and Collectors should be altered. I have not given any specific proposal to that effect, as to what the numbers in each grade should be.

15734. You are not prepared to give that?—I would bring them up to the level of other provinces.

15735. They are not all the same. What provinces would you bring them up to?—Madras and Bombay.

15736. What do you consider an ideal province in that respect now?—I have not gone into that very closely; but, speaking roughly, I should think Madras or Bombay.

15737. They are both better on the executive side than Bengal?—The grading is better.

15738. With regard to an officer on £600 a year, with two or three intervals of a few months before he is to get his £1,000 per annum, you would make a grading there, would you?—I would not at all object to a time-scale there.

15739. I am coming to your remarks on question (99) with regard to the time-scale. I do not quite make out in your answer to that question whether you advocate a time-scale or not. You say that theoretically the cadre is correctly distributed, and yet there is a serious block in spite of this. Do you consider the proposal you make for officiating grade promotion adequately meets the difficulty?—I think it certainly would, if the cadre is rightly regulated.

15740. The cadre at present is only theoretically regulated?—At the present moment the actual cadre does not correspond with the theoretical cadre.

15741. Do you think that is only temporary?—Quite possibly.

15742. It will have to be altered for a permanent standard?—The time-scale is only one way of attaining the object. I prefer the other: give a reasonable grading, whatever that grading may be, and keep your service in close correspondence with the theory upon which that grading is based, and you get your rough time-scale all the way through.

15743. It is essential that the theory should be in accordance with practice?—Yes.

15744. And at present, the theory is not in accordance with practice?—No, not in Bengal.

15745. It is necessary that that should be altered to accord with the practice?—It is very hard to alter it except very gradually by regulating the recruitment. If you have got too many men above 18 years of service, you cannot reduce them.

15746. With regard to question (120), which has reference to the annuity system, do you think that the 4 per cent. deduction represents more than a fair share?—That is the general impression. I think an actuarial examination should be made, and the results published.

15747. We have had evidence in the opposite direction?—If that is a fact, it would go some way towards removing the feeling of discontent.

15748. So that, on the whole, you think it would be a good thing to have an actuarial examination either way?—I think we ought to know the facts.

15749. With regard to the Provincial Civil Service, you say that the fixing of the annual rate of recruitment has recently been revised by the Government, and that it is as near correct as it can be made?—I say that it has not been tested by practical experience yet. It has only been worked out during the last year, and it will take, perhaps, 10 or 12 years until we do know whether it actually works out correct.

15750. With regard to the retirement of officers in the Provincial Civil Service, would you suggest a scheme of compulsory retirement with adequate safeguards being adopted for the Provincial Civil Service as well as for the Indian Civil Service?—I would have no objection to a safeguard such as the case being enquired into by a committee. My point is that the occasion will not be very frequent, because unless an officer is particularly bad his inefficiency will not force itself upon the Government. In the case of the Civil Service, when an officer comes to his time for promotion to Collector, his merits are examined, and therefore every man comes under the examination of Government very carefully about his eighth year of service. There is nothing of that kind in the Provincial Civil Service.

15751. We have had much evidence with regard to officiating promotions, and they have been strongly advocated by members of the Provincial Civil Service. You point out that that would increase the work of the Accountant-General?—Yes, enormously.

15752. It would increase the work, and would therefore increase the expense of management?—I would rather give them increase of pay in any other direction. I think they expect to get a great deal more from officiating grade promotion than they would get, because very little furlough is taken, and they would only get it practically for three months privilege leave vacancies.

15753. It would not work so generally in the Provincial Service as it would in the Indian Civil Service?—Nothing like.

15754. So that it looks better than it is?—It would be a very small concession, absolutely incommensurate with the work it would give to the Accountant-General.

15755. Can you suggest any improvements in the way of regulations for leave in the Provincial Civil Service?—I certainly think that the rules as to leave should be altered. I suggest that under another question.

15756. It seems from your answer as if the question of leave is in a very precarious position at present. Can you suggest any specific improvements with regard to the regulations?—Yes. I have suggested specific improvements as regards the rules in answer to question (39). These are suggestions made by the Government which I think would practically meet all the hardships. The only other point that has been raised by the Provincial Service is as to leave being refused. The leave provision is ample, but in most cases where leave is refused, it is privilege leave for three weeks or six weeks or two months. If the station can get on without an extra man, there is no difficulty at all; but, on the other hand, the leave reserve is spread all over the province, and there is no leave reserve in the specific station and therefore it always involves a transfer. If the man takes three months' leave, and the station is too understaffed to spare him for those three months, it is not always possible to take a man from another station and put him there. It is not the leave reserve that is inadequate; it is really the understaffing of the service as a whole. If there were more men to do the work, it would be possible, at intervals, to spare one man from a station without sending anybody to relieve him.

15757. (*Lord Ronaldshay.*) I understand that you are satisfied with the present system of recruitment for the Indian Civil Service by means of open competitive examinations because, though such a system does not impose any test for any qualities other than scholastic, it is assumed that the British qualities necessary for successful administration are inherent in British character?—Yes.

15758. I understand that is what your view is?—Yes.

15759. You have suggested if there is any fear of any falling off in the type of English officer that you are getting now, or may get in the future, that falling off would not be due to the system under which he was recruited, but due to the fact that the popularity of the service has declined?—I think so.

15760. You mention as one reason—in fact I think it is the only reason you mention—for the falling-off in the popularity of the service was the inadequacy of the pay as compared with past years?—Yes, I do not think that is the only reason.

15761. That is the only reason you mention. I want to ask you whether, besides the falling off in the monetary value of the service, are there any other causes for the falling off in its popularity?—I think so, certainly. When I came out most Indian Civilians looked forward to sending their sons into the service, but now you never come across a man who wishes to have his son in India.

15762. What I want to find out from you, if I can, is what the reason for that is. Can you give us any definite reasons, apart from the question of pay?—I think it is largely a question of the life and the work. Governing under the old system, when the district officer ran the district, was much more attractive to the ordinary man who leaves Oxford than governing by policy.

15763. You mean that there is much more office work now, and less initiative and responsibility required on the part of the officer?—There is less independence in running your district. It is the independence of running your own show that rather appeals to the varsity man, I think.

15764. Do you think there is any feeling of uncertainty as to the prospects of officers joining the service at the present time?—Yes, I think there is. I tried to insure my pension some few years ago, but I could not do it, because I was told there were so many applications that they refused to do it any more.

15765. What is the cause of this falling off? Is it as to the uncertainty of the future of the service?—I think it is purely the general development of civilization, if I may say so, in India, the general advance in the way of governing. The civilian does not count to the same extent as he used to do. He does not feel that he has got the Government of India, and the Secretary of State, and Parliament, behind him to the same extent.

15766. You mean that he feels that he is rather the object of hostile criticism on the part of the authorities, and Parliament, and so on?—Yes. Although he is referred to as "the finest servant in the world," as the same time he would be sacrificed if occasion arose, or he might be sacrificed if occasion arose in the case of political necessity or anything of that sort.

15767. When you say, "he might be sacrificed," do you mean that his career might be cut short?—His prospects, his interests, might be sacrificed. I am speaking merely of the impression in the service, which was certainly very strong three or four years ago.

15768. So far, then, as the Englishman is concerned, the present system of recruitment is satisfactory, but you think that a system of competitive examination is not a satisfactory system for recruiting Natives of India to the service because Natives of India have not necessarily got these other qualifications which are necessary to make successful administrators, inherent in the Indian character: is that so?—Yes.

15769. Do you think that circumstances being what they are to-day, it is desirable that there should be a larger proportion of Indians in the Indian Civil Service?—I should not object to any number of Indians in the Indian Civil

Service provided that they are European-trained, and that they have acquired those characteristics; but I do object to bringing into the Indian Civil Service anything that is not European-trained.

15770. What, in your opinion, is the essential minimum of European training which an Indian ought to have before he comes up to the standard which you think necessary?—I think he should be educated in England at the time when he is capable of imbibing English character and English characteristics, that is to say, from the time he ought to go to a public school.

15771. You think it is desirable that he should begin the training not at an English University, but at an English public school?—That, I think, is the really desirable thing.

15772. Have you any personal knowledge of any Indians who have been to any public schools?—Yes; I think I know one.

15773. Who is now a member of the Indian Civil Service?—Yes.

15774. And you think that, on the whole, such a man is a better qualified officer than an Indian who has merely been to England for two or three years at a University?—Yes, I think so.

15775. Perhaps you cannot give me the information, but do you know whether any difficulties are raised by the authorities in English public schools in the way of Indians going to such schools: are any difficulties put in the way of an Indian going to an English public school?—I have heard so, but I do not know. I know nothing about it personally; but I have heard recently that there has been trouble.

15776. You have not actual information to give us upon that point?—No.

15777 There is only one other point in connection with that. Do you think that Indian parents would see any great objection to sending their sons at that early age to England for their training?—I think they probably would.

15778. How is the difficulty to be got over?—I do not see how it can be got over; but I say that that is the ultimate desirable thing. As long as there are only a few Indians entering by the European door, I would be content to make the assumption that they are European-trained. If they become very numerous, I think it would be necessary, probably, to insist upon a minimum of training at home at the impressionable age.

15779. You tell us that neither the Indians who are members of the Civil Service, nor the Indians who are holding listed posts, have proved so efficient as European officers; and in each case you say that it has not been found possible, or, at any rate, expedient to employ them in all kinds of posts. I should rather like to ask you if you will give us something a little more definite upon that point. You say, "Their nationality would prove a great disadvantage to them in administrative charges where they come into contact with a large non-official European community or where there is widespread racial tension or unrest." I want to know this. Do you mean by that, that, say, a Hindu or a Muhammadan, would find it difficult to deal with riots arising out of, for instance, some question of cow-killing, or something of that sort: is that what you mean?—I mean that they would have a prejudice against them. A Hindu going into a district which was largely inhabited by Muhammadans would have a prejudice against him which he would have to overcome, and which, if he did not overcome, would be disastrous to the administration of the district.

15780. And *vice versâ*?—Yes, and *vice versâ*.

15781. That, of course, is a thing that one can easily imagine for oneself; but can you give any definite instances of this sort of thing having occurred?—Yes, there are several instances of that.

15782. You mean that there are instances where Indians have been employed in districts where racial feeling runs high, and that the experiment has not succeeded?—I mean that in districts where Indians have been employed there have been occasions when racial tension has arisen, and they have been found to be under a very great disadvantage.

15783. And has that resulted in the transfer of the officer to another district?—Generally.

15784. Would that disability from which the native of this country suffers be in any way got over by a European training?—I think that European training would go some way towards lessening that prejudice. Of course it will not be got over entirely until the inhabitants of the district belonging to the other religion are sufficiently educated to appreciate the impartiality of the Magistrate. It is very largely an objective objection, and not entirely a subjective one.

15785. You think there are districts where the people themselves would prefer to have a European officer over them than an Indian officer for those reasons?—Undoubtedly.

15786. Can you tell us whether in the archives of the Government there are any memorials or petitions of that kind sent up by the inhabitants of any particular districts asking that they might have a European in preference to an Indian?—I know of one memorial; and I have seen letters also from the leading inhabitants of a district asking for a European. I know that more or less people whom the Government regard as leaders of the district do come to the Chief Secretary or a Member of Council, and ask for a European to be sent.

15787. Those are really hard and definite facts you are giving us. It is not mere theory, but these are hard facts which you cannot get over?—Yes.

15788. I infer from that, that so long as this cleavage between the different communities exists in this country, so long will it remain impossible to employ an Indian officer in the same indiscriminate way that you would employ European officers?—Yes, the disadvantage to the Indian officer would still remain.

15789. And that provides the basis for your chief reasons for opposing any question of simultaneous examinations which might bring into the service a large number of Indians whom it would be, perhaps, difficult to post?—Only to a certain extent; because I should not at all object to Indians coming in by the open examination in England provided they are European-trained. They would still have this prejudice against them in dealing with the districts; but I think it would not be anything like so strong.

15790. You say that the Government of Bengal have recently, with a view to giving Indians more opportunity of employment in different posts of the service, instituted a system of training for members of the Provincial Service in the Secretariat work?—Yes.

15791. Can you tell me whether the English members of the Indian Civil Service get any particular training in Secretariat work?—No.

15792. So that this scheme for giving the Indians training is in order to give special advantage to them?—It was advised because it was found that we could not find an Indian in the Provincial Civil Service who was good enough, so far as these characteristics are concerned, to take the post of an Under-Secretary.

15793. There is only one more point that I want to clear up. You say that all the inferior posts ought really to be regarded as Provincial Civil Service posts?—Yes.

15794. And that they are only occupied to a small extent by Europeans in order that those Europeans may receive training for their future duties in the superior branches of the service?—Yes.

15795. I assume from that, therefore, that none of those inferior posts are held by Europeans in order to add to the efficiency of the Provincial Civil Service?—No. If for any particular reasons you want Europeans to hold those posts you ought to recruit them in the Provincial Service.

15796. Then you would recruit him in the Provincial Service as a member of that service?—Yes.

15797. But was it not a fact that in 1907 the Government of Bengal asked for the creation of a larger number of inferior posts, as I understand it, but I may be wrong, in order to stiffen up the Provincial Service?—They asked for an increase of 12, in order that they might hold certain particular posts which the Government at that time considered it desirable should be held by Europeans. These were chiefly sub-divisions in Bihar, with a European planting community, and so forth.

15798. In that case, of course, these inferior posts were not held by Europeans for the purpose of training, but were held by Europeans in the interests of the administration?—Yes. I think that was wrong. If the Government wanted at that time to get Europeans for those posts, they ought to have recruited them from the Provincial Service.

15799. But you think that that particular case to which I have referred was really rather an exceptional case?—Entirely exceptional; and they have all disappeared now. These extra men were sanctioned, but from the 1st April last we have done away with them altogether.

15800. The mere existence of that particular case does not in any way invalidate your theory as to the proper use of these inferior posts by European officers?—No. I think it strengthens the theory, because it was found in a short time that it was absolutely blocking promotion in the Civil Service.

15801. (*Sir Theodore Morison.*) You said in reply to the Chairman that you recognized and considered the strength of the claims of Indians for admission to a more equal status in the service—that you recognized there was a strong claim for their further employment?—Yes.

15802. You recognize that it raises a political problem in this country?—Yes.

15803. How do you propose to meet that? What is the answer of the Civil Service to that?—I am not empowered to answer for the Civil Service. I would meet that by an extension of the listed posts. I would train the Indian recruit in India in the Provincial Service for 12 or 15 years. The civilian has to undergo eight years' training, and I think it would be fair to put the Indian Provincial Service man through a training of 12 to 15 years.

15804. At what age would you recruit him?—At the same age as now.

15805. Under 25?—Yes; under 25 and over 21.

15806. He would then be nearly 40?—Not quite that. If he got in at 21, he would be 36 or 37, or so. Then I would select the best of them for the listed posts.

15807. Would you consider it possible to employ him in the same position as the European?—No. I would divide the Public Service into the European-trained and the non-European-trained; and I think it is quite possible you may limit the European-trained and restrict them as time goes on more and more, and increase the sphere of the Indian-trained but you cannot say that the man trained in India is qualified to do the work of a European-trained man.

15808. There is one question which arises out of this, and out of your answer to question (28). You mentioned the case there of a Provincial Service man holding a listed post who ranks with District Magistrates after nine years' service?—Yes.

15809. How is it possible to promote a man as quickly as that? That is about as long as you train any European, and you train him to a post which ranks with District Magistrates?—It is a special post. It is in the cadre of District Magistrate; it is the Co-operative Credit Society.

15810. He is not necessarily competent to do district work?—Not necessarily. He is almost certain, when he has held that a sufficiently long time, to go on from that to a district if his qualities continue.

15811. Was he selected because of his special capacity and interest in the Co-operative Credit—that is exceptional?—Yes, that is exceptional.

15812. There is nothing in that which makes one think that it would be possible to promote Provincial Service men quicker: there is no scheme, no device?—No, that does not support anything. I do not see that there is any reason to suppose that it is impossible.

15813. I want to know that. I want to know how you can promote a Provincial Service man sufficiently rapidly for him to come to the listed posts in the fulness of his power, and there is still hope for him for further promotion?—The

Provincial Service man enters the lowest grade at Rs. 200. After nine or ten years' service he has been through the training, and probably has held a subdivision, and he has had opportunities of showing what he is worth.

15814. Has he received unusually rapid promotion?—No; he would go up through the grades.

15815. In the ordinary way of working up through the grades?—He would probably then be in the sixth or fifth grade.

15816. Which is the top grade?—The first.

15817. And he is in the fifth?—The fifth or the sixth by that time. I would not take him necessarily from the top. It would be impossible to take them from the top—quite impossible. I would select them from any grade as soon as they had had sufficient opportunity of showing that they have merit.

15818. Is that practically possible? I want to know that. Can you pass over all the other men in the first, second, and third grade?—It is possible, so long as you do not look upon the listed posts as mere seniority posts. It would involve your giving a grade of, say, Rs. 1,000, to the Provincial Service to provide something for these people who are not good enough for listed posts at an early stage—to give them prospects to look forward to. You would have to give them probably a grade of Rs. 1,000

15819. Would not that create great heart-burning in the service if these senior men were passed over for a comparatively untried youngster, and the Secretariat had to think of making him a district officer?—There might be a certain amount of individual discontent, but I do not think there would be discontent throughout the service as a whole.

15820. Not sufficient for you to abandon it?—It certainly would not affect recruitment, because everybody would hope to get one of these listed posts at an early stage.

15821. Now that you have got him at 36 or 37, what, in your view, would be his capability of rising to?—I do not think that for many years to come he would be capable of rising beyond the head of a district.

15822. Would you block his promotion, so to speak, by saying, "I will only promote you to a listed post, and therefore beyond a certain point you cannot rise"? What is the advantage, when you have selected this man, of saying to him, "You can only rise to be Magistrate or Collector of the first grade"? What is the advantage in barring his promotion any further?—I do not think there is any advantage. It is a question of possibility. I do not think, under present circumstances, that a man so trained would be fit to hold a Commissionership. If he was an exceptional man you could put him in to be a Commissioner. You can do that under the Statute.

15823. Every European does not become a Commissioner. You are not bound to promote him if he is unfit?—No.

15824. Is it necessary to say to him first that it shall be impossible for him to become a Commissioner?—No; but it is also not necessary to say to him, "You may rise to a Commissioner," when you do not think there is the slightest possibility of his doing so. There is no use in exciting hopes in his mind that he will rise to a Commissionership. If you have no reasonable expectation yourself of those hopes being fulfilled, it is better to say nothing at all about it.

15825. It is very difficult to appoint him to a Commissionership even if you find him very good; and even if you thought he was capable, how would you do that?—I do not think there would be any difficulty in appointing him under the Act of 1870.

15826. What is that?—That any Native of India of approved merit and ability may be appointed to any of the scheduled posts notwithstanding the fact that he is not a member of the Civil Service, I have forgotten the wording of it.

15827. You do not mean to say that you would exceptionally list the post for him?—I think that listing the post would practically be telling him that he could rise if he is good enough, while all the time you do not think he is good enough.

15828. Is not there some difficulty in using exceptional power of that kind?—I do not think there would be. If you have got your exceptional man, I think the Government of India would be only too glad to use the power.

15829. Still it requires an appeal to the Government of India?—Yes. Then, listing the Commissionerships also requires the sanction of the Government of India.

15830. It has been suggested to us that when once they have been found good enough to be promoted to the charge of a district they should be admitted to be Commissioner of a province or Presidency. What is your view about that?—I do not think that there is any advantage to be gained by mixing the two things. You have got your European-trained agency, and your Indian-trained agency. I do not see there is any advantage in mixing up the two agencies.

15831. It does allow, anyhow, the Provincial Government, if they find an exceptional man, to give him the promotion he deserves?—They can do that now.

15832. Without invoking Parliament or the Government of India?—No, they cannot promote him to a Commissionership without invoking the Government of India; but, in the other way, they would practically say to him, "We expect you to get this promotion *pari passu* with the European-trained agency."

15833. Do you say to a European that you expect him to be a Commissioner? Is that the understanding on which every civilian comes into the service?—I think that every civilian who comes into the service hopes to be a Commissioner.

15834. Every barrister hopes to become Lord Chancellor, but he is not disappointed if he does not. You are not holding out any promise to everyone who comes into the service, however he comes in?—There is no promise.

15835. Therefore you would not hold out expectations to this man?—On the other hand, you would, under present circumstances, be leading him to hope that he would obtain a promotion which you yourself did not think it possible for him to get. That was the reason, I understood, why Commissionerships were not listed originally.

15836. You have said, in answer to question (28), that that was an exceptionally rapid promotion due to particular circumstances, have you not?—Yes.

15837. You have given us in your answer to question (34) a list of the Provincial Service officers who have held superior posts?—Yes.

15838. And you say that more of them have held such posts than have been listed?—Yes.

15839. What is the explanation of that? Is it due to the fact that there were not Indian Civil Service men to fill the posts?—Yes, to a certain extent; that is to say, they are mostly short vacancies; and we have not had an Indian Civil Service man available to send there, or a man who was on the spot.

15840. One of the vacancies, I see, was for three days. It is about this case that I want to ask you. It was Mr. Warde Jones who officiated from the 23rd to the 26th September. That is the kind of thing you think it was not worth transferring?—Yes.

15841. Was this man an Englishman, or a Native of India?—A Statutory Native of India, I think.

15842. There is a remark towards the end of your answer to question (92) which I do not understand:—"These periods on higher pay have been of no practical advantage to him." I do not understand why, because he is occupying for a short period a position the average remuneration of which is two-thirds more than he receives. Does the change in the status involve additional expenditure?—Yes.

15843. Why?—A Joint Magistrate, for instance, acting as Collector.

15844. In the same district?—In the same district, or in any district.

15845. That is the case that was in my mind, in the same district?—There is one thing he would be responsible for: the rent of the house.

15846. He would have to leave his own bungalow?—He would have to be responsible for the rent of the Collector's house.

15847. Why?—So as to keep the Collector's house. If it were a Government house he is, under the rules, responsible; but if it is not a Government house, he would very likely have to take it on in order to keep it for his successor, so that the Collector should not lose the house.

15848. Those are the traditions of the service?—Yes. The Collector has to show acts of hospitality more than are expected from a Joint Magistrate. More is expected of him.

15849. Are the burdens of hospitality on the Collector of a district in Bengal considerable?—I think they are. He is expected to entertain the station. He is expected to put up anybody who goes there, visitors or officials who come round. He would be expected to live in a certain style.

15850. Besides entertaining the station, what is there that a man has to do?—He has to keep up a certain household, and he has to live comfortably.

15851. There would not be any change in that respect when a Joint Magistrate officiates as a Collector?—Possibly he would be expected to entertain the station during the hot weather.

15852. The station is not so full in the hot weather?—No; but those that remain would expect more from him as a Collector than otherwise, if he were a Joint.

15853. There is nothing except the ordinary station hospitality which you are referring to, and I suppose in most of the districts that hospitality would be confined to the ordinary station population? There is very little unofficial entertainment?—It depends upon the station. There are some stations where there is a very considerable unofficial element.

15854. Has the burden of entertaining ever increased at all?—No, I do not think it has increased.

15855. (*Mr. Chaubal.*) Following on the same subject on which you were last questioned by Sir Theodore Morison, I understand that this entertaining at a station and the burden of hospitality and style of living is for the purpose of maintaining the prestige of the Civil Service?—Yes, the prestige of the head of the district.

15856. May I ask you amongst whom this prestige requires to be maintained — the European public or the Indian public?—I think both.

15857. Is all this entertainment by the head of the district, his living in style and the spending of money which requires such improvement in the pay and prospects of the Indian civilian for the Indian public? Do you think that they spend all this in the interests of the Indian public? Does it refer to them?—I think it does. I think the Indian public would have very little respect for the Magistrate who saved all his pay.

15858. I may tell you that so far as the Indian public is concerned, they are absolutely unconcerned with your burden of hospitality and style of living. It does not reach them in the slightest degree. That is the Indian point of view which I am putting to you. These are the reasons which are urged as requiring a revision of pay and other things with regard to the Indian civilian. No doubt he does it for his own comfort, and it is necessary that it should be done, but it is not for the purpose of increasing his prestige in the Indian public?—I think it is in this way, that the Indian public of his district would regard him as a very poor man if he went about in an *ekka*.

15859. I can quite understand that if he went round touring and called at the villages and entertained them at a feast, it would increase his prestige, and the people would appreciate him. But if you invite European ladies and gentlemen, and treat them, how does it reach the Indian public at all?—It does not reach the Indian public through their mouths, but it does reach them through their appreciation of the character of the man.

15860. Would you be surprised to learn that the Indian public in a district town does not even know that the Collector is entertaining: they are not even aware of it?—Quite so; but they would be aware if the Collector sat in his bungalow and entertained nobody and did nothing, and went about in an *ekka* instead of a carriage.

15861. The Indian public see a lot of illumination, and they gather at a *tamasha*, and that does impose them. I must say, frankly speaking, with regard to all your answers in the first part of the interrogatories, looking at the efficiency of the service from your European standard of service, you think that the Statute of 1833 and the Proclamation of 1858 was a grand mistake?—Not at all.

15862. If your principle, pure and simple, of efficiency of the service, and maintenance of British characteristics of service in which, according to you, the Indian is wanting—if that had to be maintained, and if regard had to be paid to that strictly, then the Statute of 1833 was a mistake?—No, I should hope that the Indian would in time acquire those characteristics.

15863. But in the Act of 1833, if the Indian has not got that administrative capacity and that British spirit of administration now, he certainly had it much less in 1833; and therefore you promised him in 1833 that no distinction of colour and creed should be maintained: you think that was rather a mistake?—You removed a bar in 1833.

15864. But so far as removing the bar went, politically it was a mistake, looking to the efficiency of the service, was it not?—No, not altogether, because efficiency is not the only consideration.

15865. Looking at it from the other side, you have in two places said that "any increase in the opportunities for well-paid employment must necessarily affect the recruitment of the Indian Civil Service," and, "it is to this extent suitable in that it necessitates some portion of their education and training taking place in England; but if the successful candidates ever come to consist largely of 'Natives of India' it would probably be possible to devise a more suitable method of recruitment." There is another sentence: "The fact that Indians are eligible to compete in the open examination in England fully satisfies the requirements of the Statute of 1833 and fulfils the promises made in the Proclamation of 1858, while the Act of 1870 provides the means for reducing, when possible, the essential European minimum". So that if you thought that through the English door a larger number of Natives were coming in, then you would modify the Statute of 1833?—No. Why? I do not quite follow why it should be.

15866. A larger introduction of Natives of India into the Civil Service would become possible only on account of the Statute of 1833 and the Proclamation of 1858, because the English door is now equally open to both?—It is possible under the Act of 1853.

15867. I mean it started originally in 1833. If the bar had never been removed, these things would never have come in. The whole starting point is from that?—The Statute of 1833 did not affect the Act of 1791, which reserved all appointments for civilians—that is to say, all places, appointments and offices, for members of the Civil Service.

15868. At that time it would have been practicable. Your reading is more accurate, but it was meant in those days purely for Europeans?—Yes, as far as I know.

15869. And that bar was removed in 1833?—Yes, so far as race, colour, etc., were concerned.

15870. Therefore, if you now thought that the introduction of a large number of Natives through the English door was endangering in any way the British spirit of administration, then you would have that bar again put in—something which would effectually accomplish the bar?—No; I would make the Indians who enter by the English door have a better training, so that they might acquire those characteristics.

15871. Now with regard to these listed posts, I do not quite clearly follow you. The eight listed posts were originally, before they became listed, held by Europeans—Indian civil servants?—The inferior listed posts.

15872. The eight posts which are now left open to the Provincial Service?—There are two sets of eight posts. There are eight superior Judgeships, and eight inferior posts: which are the ones you refer to?

15873. Take both?—They are dealt with entirely separately.

15874. They may be, but before the system of listed posts came in, all of them were held by Indian civil servants, were they not?—Before the system of listed posts came in all the appointments were held by Indian civil servants.

15875. The appointments were filled up by Indian civil servants?—Yes.

15876. Therefore, there is not much distinction between the superior listed posts and the inferior listed posts, comparing them with the time when there were no listed posts whatever?—The difference has come in since the difference of the system of recruitment for the Civil Service, which is at a later date. At that time when those posts were listed, the Civil Service was recruited for on the basis of all the posts.

15877. I am simply now taking you back to the state of things which obtained before the system of listed posts came in; and before the system of listed posts came in all the sixteen appointments were ordinarily held by Indian civil servants?—Yes.

15878. And you cannot point to an instance of the Act of 1861 being availed of in the case of men of exceptional ability—from 1861 down to 1879?—I have no personal knowledge.

15879. That is my impression, but I should like to be corrected, if necessary. My impression is that from 1861 down to 1879, until the listed posts came in, and they were opened to the Provincial Service, I do not think that Government found any person coming in under the Act of 1861?—I think it is quite possible.

15880. However, the Act was not largely availed of, and there were only two appointments which were made from 1861 up to 1879, and I take it that that was because the Act of 1861 was not availed of—that the system of having these listed posts came in in order to satisfy the aspirations of the Subordinate Service?—I have only gathered it from the papers; but I understand the reasons for the Act of 1870 were to satisfy the desire of Indians for employment in the high posts, which they did not think had been sufficiently satisfied by the regulations for the examinations passed by the Committee of 1854.

15881. Do you not think that the Act of 1861 itself, which has a schedule that so many posts shall be filled by Indian civil servants—what is called the Civil Service cadre—was not in the spirit an infringement of the Statute of 1833?—Surely it was a further advance in that direction, because up to that time the Statute of 1791 still existed, by which by law all posts were reserved for the Civil Service. The Statute of 1861 very much reduced that number.

15882. After 1791 comes in the Statute of 1833, and that modifies the absolute bar which was made by the earlier Statute of 1791?—I do not think there is any definite colour bar in the Statute of 1791.

15883. I am not speaking of colour bar. I will explain to you what I mean. In 1791 all the posts were definitely filled by Europeans only?—By civil servants.

15884. When I say Europeans, I cannot forget that state of things in which at that time it could not be held in the natural course of things by anyone else. In 1833 this embargo was removed, and in 1861 it was partially put on. That is the way I am trying to make you realize it. My question is whether you do not think that the Act of 1861 was not in spirit an infringement of the Statute of 1833?—No, I am afraid I do not.

15885. There is another matter upon which I should like to have your opinion. I am not familiar with the intricacies of the service. There are a certain number of Civil Service posts which have to be taken into account, what are known as leave reserves?—Recruitment is based upon the number of superior posts; and in order to make up the total cadre there is a certain percentage for leave reserve and training.

15886. I wish to have your opinion upon this point. Supposing that for the improvement of the Indian Civil Service this element of leave reserve is not taken into consideration at all, and supposing whenever any vacancies, temporarily on account of persons going on leave or deputation, occur, that they should be filled in from the Provincial Service in the same way as in your answer to question (31), and in answer to the question put to you by Sir Theodore Morison when you said that more than the number of listed posts were engaged because sufficient civilians were not available. Supposing this system is introduced, supposing the Civil Service has no such thing as making provision for leave reserve, and whenever there is any occasion for places being filled on account of persons taking leave, that those should be filled from the Provincial Service so that Government may have very frequent opportunity of judging how men from the Provincial Service acquit themselves in different places held by civilians?—You mean that the leave reserve for civil servants would be in the Provincial Service?

15887. Yes, should be taken from the Provincial Service?—That would reduce the total strength of the European-trained service in India by 40 per cent.

15888. It would do so only temporarily?—No, permanently. At present we have 40 per cent. on our leave reserve.

15889. I want to know what would be the objection of trying Indians in these temporary jobs whenever a civil servant takes leave or is on deputation, with a view that Government should have more frequent opportunities of judging how Provincial Service men acquit themselves in Civil Service posts?—I think Government does that as far as possible; but the objection to the proposal you made just now is that you reduce the European-trained element by 40 per cent., which I do not think is within the bounds of possibility at the present time.

18890. We have had before us, both here and in Madras, several members of the Provincial Services coming and giving evidence before us; and they complain of several small things which are considered to be irksome to the service as far as the Provincial Service is concerned. I find from your evidence that, except in one or two things, you do not admit the existence of any such facts which should cause any discontent in the Provincial Service?—I think a very large number of grievances which have been brought forward are due entirely to misunderstandings.

15891. (*Mr. Gokhale.*) I did not quite catch what you said to the Chairman. The evidence which you are tendering before the Commission is your own personal evidence only, is it not?—This is the evidence I have been asked to put forward by Government in order to give such information as I could.

15892. But does it represent the views of Government or is it your own evidence? That is what I want to know?—This represents my own views.

15893. (*Chairman.*) I do not understand that the opinions you expressed to the Chair to-day are opinions which necessarily represent the Government?—No. They are my own opinions. Any matter of opinion here is my own.

15894. (*Mr. Gokhale.*) Beyond the views which are expressed to the written answers received from the Bengal Government, the Bengal Government would not be bound by anything you say to-day?—No.

15895. Let us first clear a little misapprehension which has been caused about the Statutes between 1791 and 1861. The Statute of 1791 reserved posts in India for the Civil Service?—Yes.

15896. The Statute of 1833 removed the bar for Indians?—Yes.

15897. The Statute of 1853 threw open the competitive examination both to Indians and Englishmen?—Yes.

15898. Until then admission was through Haileybury?—Yes.

15899. And there they were admitted by nomination?—Yes.

15900. And as a matter of fact, no Indian was nominated?—That is so.

15901. And the Act of 1861 reserved appointments for the Civil service to which Indians could have access, as well as Europeans?—Yes.

15902. Now you have expressed the opinion here that the competitive system is, on the whole, suited to English candidates and not so suited to Indian candidates, because there are certain qualities, which we will call governing qualities, which are inherent in English candidates, but they are not so inherent in Indian candidates. Would that be a fair way of putting it?—Not quite, I think.

15903. Apart from education and training?—No. What I mean is that the examination at home is passed on the assumption that anybody who comes up for the examination has this quality. Competitive examination out here is not based upon any assumption of that sort.

15904. Competitive examination in India would not necessarily presuppose the existence of these qualities in the candidates appearing for that examination, is that what you mean?—It would have no relation to the existence or non-existence of those qualities.

15905. I want to be clear about that. You say in another place that the system of competition in India would not be quite fair to certain classes and races?—Yes.

15906. By which I believe you mean what has been expressed by other witnesses, that it would not be fair to those classes which are spoken of as the governing classes of India. Would that be a correct way of putting it?—No. I was not thinking of that in particular. I was thinking very largely of the districts in Bengal when we had Orissa and Bihar.

15907. You do not divide Indians between classes which are specially fitted to govern and classes that are not fitted to govern?—No.

15908. Then, of course, it is only a question of how much education has advanced in the different parts of the country; and when there is a larger advance, and a more uniform advance, in education this particular objection to competitive examinations in India will disappear?—I think, probably, it would, when they are all up on a level as regards intellectual capacity

15909. I will now ask you one or two general questions. To what extent has the superior reputation of Englishmen for governing qualities been helped in the past by differences among Indians and by the lack of a national sentiment among them—has it been helped to any extent by these things in the past? I will put it like this: Contrast is often made between the governing qualities of Englishmen and the governing qualities of Indians, by which is meant the governing qualities of Indians in pre-British days; is that so?—It depends upon the person who makes the comparison.

15910. Otherwise, what is the contrast between British and Indian methods of administration? The expression is used that the administration in India must be carried on in accordance with British methods?—I do not think the distinction is necessary between British and Indian methods, but between British methods and all other methods.

15911. In India we will take Indian methods, the methods which prevailed in pre-British days. To what extent was the superior reputation of Englishmen as rulers helped by the existence of differences and divisions amongst Indians and by the lack of a national sentiment in the country?—I do not think the superior reputation of England in that respect depends at all upon the Indians. It is a reputation they have got in other parts of the world, and not only in India.

15912. Compare it with Indian reputation. If, when British rule came to establish itself here, there had been greater solidarity among the people, and a higher national sentiment then existed, probably the reputation for superior governing would have been more difficult to acquire?—That is to say, that the want of reputation of Indian methods would have been less.

15913. It comes to the same thing in a comparative view?—My point is this: that the reputation for governing held by the English does not depend in any way upon whether the Indians in pre-British days were capable of governing or not. It is a fact by itself.

15914. The point I have in view is this: The past reputation of Englishmen in connection with the Government of this country need not be an index of their continuing to have that reputation in that same degree in the future with greater solidarity among the people and a stronger national sentiment growing?—I should hope it would continue to be an index. The point seems to me to be that the Indian may improve, but I do not see why the British should go off.

15915. The difference between the two may be likely lessened?—Yes, may be likely lessened.

15916. There have been a great many men, ministers in Native States, who have governed those States in accordance with British methods of administration, without having British training as you suggest. Have you heard of those instances?—I have known of great administrators.

15917. They have developed that spirit by study and observation, and by coming into contact with Englishmen?—That I am not in a position to say. I know nothing about the administration of the Native States.

15918. They were exceptional men, not trained in England, but brought up in India?—I have had no opportunity of judging how far their administration was on British lines.

15919. Now about the Statute of 1833, and the Queen's Proclamation. You say in answer to question 7: "The fact that Indians are eligible to compete in the open examination in England fully satisfies the requirements of the Statute of 1833 and fulfils the promises made in the Proclamation of 1858." Do you think that the mere existence of the Statute and the Proclamation fully satisfies the claims to equal treatment of Indians in this matter: do you really think so?—No; I was referring as a layman to the legal interpretation.

15920. I am not talking of the effect of the existing arrangements. Do you know that a Committee of the India Council appointed in 1859 held that the present arrangement amounted to keeping the promise of equality to the ear but breaking it to the hope?—I do not know that.

15921. And do you know that Lord Lytton used a much stronger expression than that in speaking of this arrangement?—Yes.

15922. Then do you still say that the requirements are fully satisfied?—The requirements of the Act: I do not mean to say the requirements of the spirit of the Act.

15923. The letter of the Act?—The letter of the Act.

15924. Not the spirit of the Act, nor of the Proclamation?—No.

15925. Therefore something has to be done to satisfy the spirit of the Act and the Proclamation?—Yes, and I propose to do it by listed-posts.

15926. You say that the Act of 1870 provides the means. Do you know the history of the Act of 1870 and how effect was given to it?—Yes.

15927. It took nine years after the passing of the Act to frame the rules?—Yes, to frame the final rules.

15928. You could not give effect to the Act of 1870 unless rules were framed under it?—There were rules framed in 1874, but they were not given effect to.

15929. They were only draft rules which did not come into effect. But under the Statute as such you could not make appointments without rules?—No.

15930. That is the difference between the Statute of 1861 and the Statute of 1870?—Yes.

15931. Under the Statute of 1861 a man may be appointed by the Secretary of State with the concurrence of the majority of his Council?—Provided the man has resided for seven years in India.

15932. A man who is qualified, I mean?—Yes.

15933. An appointment can be made in the exercise of the powers directly conferred by the Act 1861?—Yes.

15934. You cannot similarly make any appointment under the Statute of 1870, unless rules were framed?—Yes.

15935. It took nine years to frame the first set of final rules?—Yes.

15936. They guaranteed to the people of India a maximum of one-sixth of the total recruitment of any one year,—that one man was to be taken in India, for every five recruited in England?—Yes.

15937. It was stated to be the maximum, but effect was given to the maximum at once?—They recruited the maximum every year.

15938. And this went on for eight years from 1879 to the end of 1886?—Yes.

15939. The number of Indians appointed in India during those eight years was exactly one-fifth of those recruited in England?—It was not.

15940. I will give you the figures. Two hundred and forty were recruited in England and 48 in India itself?—The maximum was one-fifth of the recruitment in each year. If the recruitment, for instance, was 12 civilians at home, the maximum recruitment in India was 2; and it was not quite one-fifth.

15941. Don't you remember that during the first two years, the maximum was allowed to be exceeded—there was a special rule to exceed that proportion in those two years?—Yes.

15942. For 240 men appointed in England, 48 were taken in India, which is just one-fifth: I mean full effect was given to the rules of 1879?—Yes.

15943. Then came the Public Service Commission and the final orders of the Secretary of State on the report of that Commission?—Yes.

15944. And to-day, speaking roughly, including the posts that have been amalgamated with the Provincial Service, there are about 100 posts, removed from the schedule to the Statute 1861?—I could not tell you for all India.

15945. You will find that in the correspondence with, and the final orders of, the Secretary of State. One hundred and eight was the number, which was reduced to 93, but again subsequently slightly raised?—Yes.

15946. The number of civilians in the country to-day is over 1,300 for all India—about 1,383 or 1,384, somewhere there?—Yes.

15947. If Indians had one-sixth of these, it should be over 200; so if the rules of 1879 had not been interfered with, we should have had about 200 Indians recruited locally in these 1,384 civilians?—Under the Statutory system.

15948. It would have been so; would it not?—Yes.

15949. Instead of that, we have now got 100 only of listed and amalgamated posts?—Yes. But there is one point to be remembered. Under the Statutory System, you had your leave reserve in the Statutory service; but now, you have got it in the Provincial Service. Therefore, a fair comparison is not between the total number of civilians but the total number of cadre posts.

15950. That is an important point. If the Statutory Service had not been interfered with, then more than 200 would have been in the Civil Service, including the leave reserve?—The leave reserve would have been in the Statutory Service, but not in the Provincial Service.

15951. The Statutory Service formed part of the Indian Civil Service at the time—it was a second Indian Civil Service. Men were appointed into the Indian Civil Service without passing the Indian Civil Service examination?—They were appointed to definite posts, I think.

15952. That was the interpretation put by the Secretary of State later, not at the beginning. The men who entered at the beginning were put in the same list?—They were put on the same list, the civil list, but it was altered shortly after.

15953. It was altered when the Secretary of State ruled like that?—Yes.

15954. What was practically guaranteed to the people of India in 1879 has not yet been carried out on a general view of things, taking the proportions merely?—Yes. But under the present system you could not say that 200 appointments were guaranteed in 1879.

15955. I do not say 200 appointments, but 200 Indians would have been recruited for places held by the Indian Civil Service before 1879?—Statutory Service, of course. In comparing that with the present number of listed posts, you must take into consideration the number of men in the leave reserve which is held in the Provincial Service now.

15956. That does not matter now; the Deputy Collectors under the old order do not differ from the Deputy Collectors whom you have added, because certain posts have been amalgamated with the Provincial Service?—It does not.

15957. The fact that there were so many Deputy Collectors does not introduce a difference?—It does. There is a difference in the strength of the service.

15958. My eye is fixed on the Indian Civil Service. I want you to consider how many Indians would have been recruited for places held by the Indian Civil Service before 1879. From that standpoint, this number of 100, as I said, is less than what it would otherwise have been; and any increase in the Provincial Service or the subordinate service, whichever you call it, I do not think you ought to take into account?—I think you ought to.

15959. The Indian agitation was not for an increase in the number of posts in the lower service. That service was there. Whether there were more posts or less posts in that was a minor matter. However, that does not matter. You know that the appointments to the listed posts are appointments to individual posts only, and not to any service?—Yes.

15960. So that there are no definite prospects of promotion or anything like that before the officers holding them?—There are. They rise *pari passu* in the grade.

15961. The Secretary of State has held that the appointments under the Act of 1870—and these listed appointments are all under the Act of 1870—are appointments to individual posts, and the different posts do not hang together as a service?—There is no separate service. By executive orders they are allowed to rise in the grades.

15962. Do you know how the system of listed posts came into existence—why it was brought into existence?—I believe owing to the report of the Public Service Commission.

15963. The Public Service Commission recommended the amalgamation of a certain number of posts in the schedule of the Act of 1861 with the Provincial Service?—Yes.

15964. The Secretary of State did not adopt that line; do you know why?—Yes. He gave various reasons, that they went too far in one direction and not far enough in another.

15965. No. He did not want to apply to Parliament for legislative sanction. The proposal suggested by the Public Service Commission required an amendment of the Statute?—Yes.

15966. That would have meant the raising of the whole question in Parliament. He did not want to do it, and therefore he said that all these appointments might be put in a separate list?—I have not found the actual motives which inspired him. He gave numerous reasons and that might have been a reason at the back of his mind.

15967. One more question as to listed appointments. You are prepared to extend the system of listed posts—to increase the number of listed posts?—Yes.

15968. Under which Indians would come to be in charge of lighter districts, but still in charge of districts?—Yes.

15969. But they would be Indians recruited in India?—Yes.

15970. How will they have acquired those characteristics which can only be acquired by English upbringing and which you consider necessary for those in charge of districts or otherwise to be able to discharge the duties of an Indian civilian?—I do not consider them equally capable for charge of districts. I divide the districts.

15971. That is your own division—lighter and heavier?—That is what they practically have.

15972. Can you divide the districts in that way? I want to put it like this: the population of one district may be smaller than that of another, and the amount of work in one district may be less than that of another, but the difficulties of administration are bound to be of the same nature in times of excitement and agitation, in all districts, *i.e.*, small districts or big districts; Muhammadans and Hindus may come into collision in heavier or lighter districts, and anxieties of the head of the district may be the same whether the district is lighter or heavier?—I do not think that necessarily follows. If you have a reserve of European-trained men whom you can put down in a district when you get these times of excitement, periodically, you can take the Indian-trained man and put him into another district, and put the European-trained man into this district to tighten things up.

15973. You mean that, while things are moving smoothly, you will put the Indian, and when things are difficult, you will remove him and put the European to get things settled?—That is the practical way of working it.

15974. I now come to the last question, which in some respects is the most important. In reply to question (27), you say "The Natives of India who belong to the Indian Civil Service are on the average distinctly inferior to the European officers of the Indian Civil Service in force of character and initiative. Their nationality would prove a great disadvantage to them in administrative charges where they would come into contact with a large non-official European community or where there is widespread racial tension or unrest. For these reasons, it is not usual to employ Natives of India, even though members of the Indian Civil Service, in the heaviest district charges where personality and power of control count for very much." Now, can these observations be established by looking at the record of the Indian members of the Indian Civil Service?—I think so. They are based entirely upon my own experience in the Secretariat, and I have had no experience of the Indians in districts.

15975. The first Indian to be appointed as Collector in Bengal was Mr. Romesh Chunder Dutt?—Yes; he was.

15976. He was appointed to Barisal—I understand, first to Bakarganj?—He was in Bakarganj, I know.

15977. His administration of Bakarganj was so successful that the Viceroy of that time specially sent for him and congratulated him on that, and he said that his success ought to be known in England, because that would show what Indians properly educated were capable of. It is in Dutt's life: have you seen it?—No, I have not seen it.

15978. Mr Dutt was the first Indian to be appointed Commissioner?—Yes.

15979. Sir Charles Elliott was the Lieutenant-Governor at that time?—I suppose so.

15980. Sir Charles Elliott wrote to Mr. Dutt as follows, I will quote only one sentence. He said "The post will attract towards you some observation and criticism, and you will need tact and amiability, especially in dealing with your European subordinates in the service, but I have no reason to think there will be any serious inclination on their part to resent your being placed over them, as your record of good work is such that the appointment must have been for some time foreseen." In any case, there is nothing against Mr. Dutt, either as Collector or Commissioner, that could establish the inferiority of Indians?—Of course, Mr. Dutt retired before I came out.

15981. Mr. Dutt was appointed to three of the most difficult districts in Bengal; to Midnapore, Mymensingh and Barisal, which are, I understand, among the most difficult districts?—They are among the heaviest.

15982. Mr. Dutt was appointed to these three districts?—Midnapore and Backarganj, certainly.

15983. Was any other Indian appointed to any of these districts after Mr. Dutt?—No.

15984. It is not the same thing as if an Indian was appointed and was found wanting. If no Indian was appointed, it is not the same thing as if an Indian was appointed, actually tried, found wanting and had to be removed or transferred to another district?—No. The trial took place in another district.

15985. We have next Sir K. G. Gupta. I do not want to go in great detail into these things. Sir K. G. Gupta was appointed to Nuddea, which was neither a light nor a heavy district?—It is moderately heavy, at all events.

15986. He was there for several years?—Yes.

15987. He was then made Excise Commissioner, and he was so successful in that office that the Bengal Government wanted to raise the salary of the Excise Commissioner in order to retain him in that office. Do you know that?—I know that his salary was raised.

15988. I will now come to more recent times. I will take the last ten years, or say, since 1905, when the agitation against the Partition began. We will take Eastern Bengal, which was the scene of trouble and disturbance since 1905. How many Indians have been in charge of districts in Eastern Bengal, since 1905; they are three, Mr. Mukherji, Mr. De and Mr. Gupta?—Those were the three Indians in the Civil Service; and they were the only three in the Indian Civil Service of sufficient standing to be put in charge of districts.

15989. There we have got these three men. Just one or two things I would like to ask you about Mr. Mukherji. He was in charge of Pabna, was not he?—I think he was in charge of Pabna.

15990. During those stormy days, this district was absolutely quiet, except one subdivision?—That I could not say.

15991. Do you know that Mr. De was at Dinajpur at the beginning of the period?—I think he was at Dinajpur.

15992. Was there any trouble during his time in Dinajpur?—I think it is very difficult to answer these questions, coming down to personal names. The whole of my information is based on the confidential records of Government.

15993. I should like to know whether there were, to your knowledge, any Hindu-Muhammadan riots or any other serious disturbances in the districts held by Indian Civilians during all these days?—Not that I know of. This was under the Government of Eastern Bengal

15994. There is no Government of Eastern Bengal now?—No.

15995 Do you know Mr. Hennessey of Malda?—Yes.

15996. He is an Englishman, an English Zemindar, who has been there long—for 35 years?—He has been there for a long time.

15997. Is it a fact that he is held in universal esteem both by Europeans and Indians—one of the most respected Englishmen in Bengal, among non-officials?—He holds a high position.

15998. He was appointed to East Bengal Council as a nominated member?—Yes.

15999. He lived in Malda and would know Indian and European Collectors?—He would.

16000. If he is of opinion that Indian Collectors and European Collectors are just the same, that would be entitled to weight?—It would be entitled to the weight of his opinion.

16001. There is only one more question I want to put to you about the Junior Secretary to the Board of Revenue. I find that some time ago Sir K. G. Gupta was for some two or three years Junior Secretary to the Board of Revenue?—Yes.

16002. He was a member of the Indian Civil Service?—Yes.

16003. And his work was satisfactory?—I do not know. I take it that it was.

16004. There was nothing against him; no other Indian Civilian was tried in that post?—Not that I recollect.

16005. As regards the Provincial Civil Service men, you know the case of Mr. N. C. Bose?—That was some time ago.

16006. He was Junior Secretary to the Board of Revenue?—Yes.

16007. His work was spoken of in very high terms?—I know nothing against him.

16008. (*Mr. Sly.*) I understand that the bedrock of your position in regard to this question of the recruitment of Indians is that the Indian Civil Service must be recruited by European-trained men?—Yes.

16009. In that case, are you prepared to put forward the position that, no matter how good an Indian may be, how much western-education and training he might get in India, under no circumstances could he ever expect to get into the Indian Civil Service except by training in England?—Yes, until the training in India can be said to be equivalent to the training in England, and until you can get by training in India the same qualities that you get by training in England.

16010. Even if an exceptional Indian, under the present conditions of training, could rise to such a high standard, would you deny to him admission into the Indian Civil Service, except through competition in England?—I do not see how individuals could come into the Indian Civil Service. I would allow the posts, held by the Indian Civil Service, to be held by them, if they have exceptional qualifications.

16011. You would allow them to go into the listed posts?—Yes, and also under the Act of 1861, whatever it be.

16012. In more than one place, you expressed more or less an opinion that no system of recruitment in India could obtain a different class from that already obtained by the Provincial Service?—No.

16013 We have had a great deal of evidence to show that, at the present moment, the Provincial Service does not attract the best youths of this country, and if we find that such is the case, as the result of our enquiries, would you still hold the opinion that they must go into the Provincial Service?—If that is the case, I should be prepared to advise some other means of taking them and putting them through a training, not in the Provincial Service. If there is reason for their holding back and if they refuse to go through the training in the Provincial Service, I should be prepared to give them training in some other way.

16014. Take your argument that they must belong to the Provincial Civil Service. Does not that argument apply equally to the subordinate service? If the argument is pressed to its logical conclusion, we ought to start right at the bottom of the service?—No, because there is no such clear distinction between the subordinate service and the provincial service as there is between the Indian-trained service and the English-trained service.

16015. We have had a certain amount of evidence that even the subordinate service is recruited from the same class of men as the Provincial service and that, on that account, it should be amalgamated with the Provincial Civil Service?—In Bengal, the difference between the candidates for the two services is not very great. Of course, the reason is that there are so many men wishing to get into the Provincial service, that they are willing to take the subordinate service and try to get in through it to the Provincial service, if they cannot get into that service directly.

16016. If we find that, as a matter of fact, the advantages offered by the Provincial Civil Service are insufficient to attract the very best of selected youths of India, is there any strong reason why they should not be brought into the Indian Civil Service?—If you bring them into the Indian Civil Service, you alter the meaning of the Indian Civil Service.

16017. There is no objection to their getting into the higher appointments of the Government?—The Indian Civil Service, I have understood all through to be a European-trained service; and that is necessary for the Government of the country.

16018. And your authority for that statement?—The Public Service Commission of 1886.

16019. That is the only authority?—I do not think I want any authority. That is the sense in which I used the word, and it is the same as most have understood it.

16020. You recommend the raising of the age limit from 21 to 23?—Yes.

16021. The result of it would be, in the first place, to break the combination of the Indian Civil Service with the Home Civil Service?—That would apparently be one result.

16022. That would be a considerable advantage?—On the whole, I think it is. It is not a disadvantage.

16023. Supposing you also find that the adoption of your age-limit would prevent the Oxford men from entering the service or at least from having a second chance, would it affect your recommendation in regard to the age-limit?—Certainly, if one cannot effect an entry after taking an Oxford degree I would take a later age; but I am not quite sure if it is necessary to give the Oxford man two chances. That is a question which I have not thought out at all.

16024. Let us take your answer about the protection afforded by the Statute of 1861 for the Indian Civil Service. You say that the two Acts of 1861 and 1870 take away between them all the Statutory protection that had been offered? The Statute of 1870 only applies to Indians?—Yes.

16025. And so far as the protection from Europeans is concerned, that Statute from has no effect?—I was thinking wholly of the Indians at the time.

16026. Is it not also the case that a certain amount of protection is given to the service, by the fact that action has to be taken under that Act, in accordance with notifications and rules?—Under the Act of 1870?

16027. Yes?—It gives very little practical protection, I think.

16028. Then, is it not also the case that the Statute of 1861 protects the service, to a substantial extent, against the appointments of Europeans other than the members of the Civil Service?—Yes, it does, but the scheduled posts are those of Secretaries, Judges and Collectors. I had in my mind that those were not the posts which would attract Europeans, coming in the other way.

16029. But the Statute does, as a matter of fact, protect the service against the appointment of Europeans other than those in the Provincial Service?—They must have residence for seven years in India.

16030. Under these Conditions, do not you think that the service, as a whole, would desire that protection to continue?—Yes, certainly.

16031. Then, I want you to explain to us, if you can, what is the system in Bengal, in regard to the appointment of Indians, to what you call the 'light districts.' Is it or is it not a fact, that in Bengal there are certain districts—the light districts, so-called—which are set apart for the employment of the Indians?—It is not quite that. There is a certain number of districts which are heavy districts, and you have got to carefully select your men for those districts, and the rest of the districts are more or less light districts, and your weakest man is posted to the lighter districts.

16032. Your weakest man—whether he be a European or an Indian?—Yes.

16033. The strongest man, whether a European or an Indian, would go to heavy districts?—He would, of course. But there is this question of the disadvantage that he would labour under in a heavy district with a large European population or with unrest; and if he is strong enough to overcome that, he would certainly go to that heavy district.

16034. There is no bar against Indians going to a heavy district?—None, it is simply a question of personal equation in each case.

16035. Let us take your answer to question (45) as to probation. You have recommended a probationary course at the University, firstly on the ground that if the probationers desire to continue their probation at the University they were educated, this would, in most cases, enable them to spend their probation at their own University?—Yes.

16036. If, as a matter of fact, we find that probationers do not wish to spend their probation at their own University and wish on the other hand, the enter a University of London, what would you say?—I would have no objection to their going anywhere.

16037. Another argument you give for continuing the probation in a University is that it is good for the man who gets in with a nonuniversity education, to reside at a University?—Yes.

16038. If, as a matter of fact, we find that there is not a single man passing without having undergone a University training?—They would certainly go under the first category.

16039. So, the two reasons for recommending the University during probation, practically have no weight, if the facts are as stated?—No, if they have been already through a University.

16040. In regard to probation, you have suggested that it is better spent in England because the social surroundings in England give a certain amount of training to Civilians in force of character and such things. You say in answer to question No. 53, "it is, moreover, to the very great advantage of probationers that they should spend this period in the climate of England, and among social surroundings which develop character and teach refinement and breadth of view." If the present age-limits are maintained, do not you think that the probation should be passed in India where they would learn something about the social conditions here?—It depends upon what form the probation would take. If you simply put him down in a Presidency Town, I do not think it will be of use; but if the probation can be combined with his learning the actual work out here, I would prefer it.

16041. Do you think that there is any practical difficulty in combining it with the district training—experience during the first six to eight months in district training, combined with that of four to six month under instruction in some suitable centre?—The difficulty I felt was in combining the training at a centre with the actual district training. I had in my mind some sort of a scheme of collecting them altogether in one district or Presidency Town and trying to give them district training from that centre; but I do not think that can be done.

16042. Do you think that a suitable scheme can be worked out, of combining district training for two-thirds of the year with instructional training at a centre for the remaining one-third year?—I do not see why it should not be.

16043. In regard to language instruction, do you think it would be given better in India or in England?—Colloquially, certainly in India. I do not know about grammar.

16044. If what is called the modern method of teaching spoken languages is to be adopted, could not that be adopted very much better in India than in England; the modern method by which language instruction is given in foreign tongues?—I know so little about it; but I think it is quite possible.

16045. Then, in regard to the training of assistants, after they go to India, I should like to be quite clear as to whether the Bengal system is to put an Assistant Collector under a selected Collector or is it to send him to a selected district?—He is sent to a district, where there is a selected Collector.

16046. And not to a selected district?—The district does not matter; he would not be sent to the most unhealthy district.

16047. Then, in regard to the conditions of service in Bengal, you tell us in answer to question No. (80.) "The Bengal Government proposed, in order to avoid interfering with principle on which recruitment is based, to create a grade of joints on Rs. 1,200 which should rank as superior appointments."?—Yes

16048. What would be the effect of such a proposal on the prospects of the service?—It would retard promotion, the promotion of junior men, because they will have to go through eight years' training, before they could get to the Joints.

16049. Would it not seriously affect the prospects of promotion if such a principle were followed?—Undoubtedly.

16050. Then, I want to take you through the quinquennial examination that is held to regulate the prospects of the service. You deal with it in answer to question No. (85). You say, "The examination, in itself, does nothing to regulate the flow of promotion." Is that wholly true? Is not the whole examination directed to see that an officer of eight years' service is or is not drawing Rs. 1,000 or more which the scheme of recruitment contemplates?—Yes. It is directed towards that end. The finding does not alter the facts.

16051. Is it not also the case that, in some cases where these prospects have not been fulfilled, they call for a remedy, temporary or permanent?—That is apart from the examination.

The examination itself means nothing. It might well be done every year.

16052. So far as the examination is quinquennial, it does, to some extent, affect the action of Government in regard to promotions?—Yes, certainly.

16053. Do you consider it would be more satisfactory to the service if the examination were also extended to the question of pay and other features of the service?—You mean otherwise than after eight years?

16054. Yes?—Yes, I think it would be.

16055. Now, coming to question No. (87), you say "Every officer, except in the very rare cases of obvious incompetency, is tried in a district charge." Can you tell us whether cases have occurred in Bengal in which a member of the Indian Civil Service has been held to be unfit for a district charge, and not given it?—Yes. Cases have occurred

16056. Also, cases have occurred in which a Collector has been tried in a district charge and reverted on the ground that he has proved himself unfit?—I cannot remember any case of reversion for pure inefficiency.

16057. For misconduct?—The cases, I can remember, were for misconduct.

16058. You have given us several recommendations for improving the conditions of the service generally. For instance, you recommend some improvement of salary; you have recommended that special rates should be applied for Bengal; you have given us certain recommendations in regard to furlough allowances; you have made certain recommendations in regard to pensions and a possible abolition of the annuity contributions by the service. Can you tell us which out of these, in your opinion, is the most pressing need for the improvement of the service, if a selection has to be made amongst them?—Well it depends upon this. If, after the results of this Commission are known, and it is widely appreciated at home that the £1,000 pension is subject to a deduction and that £1,000 does not mean £1,000, that is probably the point that would most affect the recruitment, but as regards the present members of the Indian Civil Service, the furlough allowances are probably the most important.

16059. Furlough allowance is more important than the improvement of the pension, to the present members of the service?—I think so.

16060. Then, in regard to the improvement of the salary, you have recommended certain improvements for the Collector's grades, which will practically bring them up to the level of the grades in Madras?—Yes.

16061. In considering that question, would it not be necessary for us to consider whether the size, the population and the amount of work in a Bengal district is equivalent to that of a Madras district?—They would all enter into consideration; but the point is that a Collector has a definite position all over India. Of course, the question of light districts or heavy districts does enter into the question of pay.

16062. Some district charges in Bengal are too heavy?—Undoubtedly.

16063. Do you consider that it would be a good administrative improvement to increase the number of districts in Bengal?—Yes.

16064. If that were done do not you think that there would be more scope for the employment of Indians in the service?—That is what I meant. As long as you keep a minimum of European-trained agency in reserve, you can increase the number of Indians.

16065. Then, in regard to a time-scale, I understood you to say, in answer to a question that you were prepared to recommend a time-scale to Assistant Collectors?—Yes, I am rather inclined to.

16066. For Joint Magistrates?—I think up to Rs. 1,000.

16067. If that were done, do you think that there would be any advantage in abolishing the graded system of Collectors, for a time-scale for Collectors?—Time-scale for higher posts does not appeal to me at all.

16068. At present, promotion is by grades?—Yes.

16069. It depends upon certain factors regulating the vacancies in those grades?—Yes.

16070. If, having once been appointed as a permanent Collector, all officers rise on a regular time-scale as Collectors, would that not be assisting the even flow of promotion in the service?—Of course, it would.

16071. What is the objection?—It is mainly a sentimental objection. I do not like the time-scale at all.

16072. There is one other question. A suggestion was made to you, that the leave reserve in the Indian Civil Service may possibly be abolished, and all leave vacancies filled by promotion from the Provincial service. What is the leave reserve in the Indian Civil Service?—I think it is 40 per cent.

16073. Would not that proposal simply amount to a reduction of the Indian Civil Service straight away by 40 per cent?—Exactly, straight away.

16074. And to that extent, it would increase the employment of Indians in the Provincial service?—Yes. You will have to increase your Provincial service by an equivalent number, and you will have to reduce 40 per cent. of Civilians.

16075. (*Mr. Macdonald.*)—First of all would you give me some more information upon a point raised by Lord Ronaldshay. You say that the Government of Bengal is now taking steps to train members of the Provincial Service for Secretariat work?—Yes.

16076. Why?—Partly to make them better personal Assistants to Commissioners. The question was first raised in connection, partly, with the difficulty of getting Under Secretaries.

16077. Is the difficulty in getting Under-Secretaries a difficulty of a personal kind or a difficulty that the Provincial officer has not been trained for it in the course of his work?—It is very largely the difficulty of training.

16078. The European member of the Indian Civil Service gets trained to the Secretariat work in the course of his duties?—He gets trained very largely by his University Education.

16079. But in the course of his duties, does not he get the experience after he comes out here?—He gets exactly the same experience as a member of the Provincial Service. There is no more Secretariat experience for him.

16080. Is there anything in the complaint that the Provincial service officer does not get the same opportunities as the European officer gets of training for Secretariat work?—No, unless this complaint means that the Provincial officer is not brought in as an Under-Secretary and therefore he is not trained to be Secretary. But he gets exactly the same opportunity for being trained as Under-Secretary as the European Civilian does.

16081. Then he is not so successful as Under-Secretary?—No.

16082. In spite of his training; in spite of the training he gets?—Neither of them gets any training.

16083. Neither of them gets any training?—Neither the European nor the Provincial service man gets any training for Secretariat work, any special training, in the course of his duties.

16084. The whole of your evidence, I take it, is so closely knit together that if one agrees with the assumption that you make in answering the earlier questions, everything else inevitably follows. Am I right in saying that the assumption you make there is that you must have British-trained officers occupying the whole of the important administrative posts in the Indian Government?—Yes, generally speaking.

16085. That amongst those officers you can only have a certain number of Indians, even if the Indians are trained in England?—No, no limit.

16086. No limit at all?—No limit: it is the training and not the nationality.

16087. And that training you think can best be got at the English University?—In the case of an Indian.

16088. In the case of an Englishman?—I think so.

16089. Public school and University?—The whole course of education from the school. I think it is acquired in the whole course of the educational period.

16090. Do you think that that sort of training is essential: you know in Scotland, for instance, our education is altogether different, proceeds on totally different lines?—I am afraid I do not know very much of the details, but I know it is on different lines; you leave Universities there very much younger.

16091. Very much younger. Then have we not schools of great Educational value?—That is so.

16092. You would make room for that kind of training or, would you not?—Yes certainly; that is all British training.

16093. You know now-a-days in England that there are very grave doubts entertained whether the public school system is after all so good as it was supposed, and that new schools of the modern type, as it is supposed, are being founded?—I am afraid that I have not followed the thing.

16094. You have followed our more modern up-to-date criticism of our English education?—No.

16095. Are you acquainted with the criticism that the Universities give a man more of a class bias than all those gentlemanly notions to which you refer in some of your answers?—No; I am not aware.

16096. You are not aware of it?—I do not think so; I may have heard of it. It is not one of the criticisms which is present in one's mind as being levelled against education in public schools.

16097. If Indians coming over to England find a less humane welcome now than they did, say, 20 years ago, would that modify your opinion as to the value of English training for the Indians?—Not of the value of the training.

16098. Supposing when they went to Oxford or Cambridge they were regarded as a section of the University community that ought to be kept apart, would that modify your opinion?—In that sense, yes, certainly it would.

16099. To put it quite definitely, supposing the harder and the more objectionable forms of race antipathy that you meet with in various parts of the world showed themselves in England and English public schools, would that modify your views?—It would modify them to such an extent that one would have to think it all over again. It would not modify my views as to the importance of the training. But if that training could not be got, if it will be a practical impossibility for that training to be got, then one would have to modify one's views.

16100. You speak dogmatically—I do not mean it offensively, I mean it in the proper sense of the term—you speak dogmatically of European training and European education and so on. Are you quite sure that in India you have tested the other kind of training in your Government?—How?

16101. Let me be more definite. Mr. Gokhale has referred to various instances. He referred to the case of Mr. Dutt. He is dead, and his services can therefore be spoken of. Do you think that with the experience that you had of him when he had charge of the three most difficult districts, and seeing that you did not fill these posts from among other Indians, do you think that you are making the most use of the available Indian material in your Government?—Was not Mr. Dutt European-trained.

16102. I will come to that. You have got European-trained Indians. My question will be put in two parts?—Your question is whether the Government is making the best use of the European-trained Indians at the present moment.

16103. Yes?—I think so.

16104. You see my difficulty as one who simply wants to be swayed by evidence. You get a certain man in charge of certain districts which you yourself admit to be important. That happened a good many years ago?—Yes.

16105. From that time up to this nobody has filled his shoes. I put it to you, is it not very natural to assume that you have not been making the best use of your trained Indians?—Remember that the number of Indian officers in Executive charge from that time onwards has been very small. Most of the men who went into the Indian Civil Service have chosen the Judicial Service. At the present moment there are only 3 out of 14 who are in executive charge, and one of these is in charge of an important special enquiry.

16106. Is not at least one of the others qualified for a heavier district?—It is rather getting down.

16107. And so I do not want to press you. The second part of my enquiry is that you admit that within certain limits the Provincial Service Indian is a good officer?—Yes, certainly.

16108. You appoint him to listed posts, you admit, I think, at too late an age to give him a chance of showing his capacity?—I would take him earlier myself.

16109. You would take him earlier. Then comes the second point about the thing that I want to get clear in my own mind. Could you assure, me in view of your own admissions, that the man who is not trained in England, but who is trained in what British atmosphere there is now in India—that the Indian University man is being used in a way that he ought to be used by the Government of India?—Really, I do not quite follow. Do you mean whether the men who should actually come into the listed posts are employed in the listed posts or whether we are getting the best material from the University into the Provincial service?

16110. I mean the former. Are you using the men who get into the listed posts in the very best way?—I think so. It is purely a personal question in both the cases. As regards the posting to a district, nationality does not enter into the question at all, except in so far as personal qualities are concerned.

16111. Listed posts give the men a very small position in the Indian Civil Service cadre?—It is rather important.

16112. It is a *cul-de-sac*; it does not open out any further door to him?—You mean he cannot go on to a Commissionership.

16113. Yes?—No.

16114. It leads to nothing else?—It is the same post, the staple post, in the Indian Civil Service. A Civilian is recruited in the main for that post. The average man does not get beyond that.

16115. In the same way if the Provincial Service man occupies that position, he cannot get beyond that?—No.

16116. It is a difference between a question of "does not get beyond that" and "cannot get beyond that"?—Yes.

16117. And therefore any initiative arising from the possibility involved in "does not get beyond that," is not present in the mind of the man who "cannot get beyond that.' He feels that he has come to the end of his tether?—Yes. Of course, there is no absolutely insuperable bar in his getting beyond that, by exceptional measures, but the ordinary Provincial Service man who gets to a listed post does not look for anything more.

16118. I do not want to press you; you see the difficulty that is in my mind, as to whether, as a matter of fact, you have established the fundamental proposition that European training is essential to maintain certain characteristics in your service. Then the other point is; and do you make the best use of the men who are in the Provincial service by keeping them in the Provincial service and only allowing them to pass up into the *corps d'élite* posts?—Yes.

16119. You admit there are good men, you admit there are men of experience in the Provincial Service, but there must be shortcomings and their shortcomings are for certain specific reasons, lateness of age, dullness more or less of the previous occupation, and practically the mechanical state of mind that they get into according to your evidence?—Yes.

16120. Well then, is it impossible for the service to be improved by making the Provincial Service an organic part of the higher service, by passing a larger number of men of the Provincial Service, not into the listed posts, but into the higher services—what is your opinion about that?—I am afraid that we come back to my original fundamental opinion, that for the higher posts you do want and must have European training.

16121. All the considerations that I have tried to urge upon you do not influence you at all?—I do not think that the Provincial Service men, without that European training, can suitably hold Commissionerships and higher posts The European training is, to my mind, essential for it.

16122. (*Mr. Madge*):—If you wish me to connect any question of mine with any answer of yours, I would gladly do so: but to prevent needless repetition, I accept most of your facts and I would ask you whether you have any considered opinion about remedying what you consider to be the deficiencies of the competitive system with reference to the British and Indian candidates?—No, I have not.

16123. You have not thought on the subject?—Speaking generally, I have not come across any to my mind, feasible proposal for remedying the present condition of the competitive examination at home.

16124. Opinions have been offered to the Commission that, either by the recommendations of the public schools or from sources of that sort, a nucleus might be found for institutions through which you might work, in the shape of Committees or Boards, so as to have the guarantee of character as well as the guarantee of literary capacity: you do not approve of any of them or would you approve of them?—I think there are objections to all of them.

16125. Then as regards the presence in India of British candidates from home, do you think it inevitable that an Indian or an Anglo-Indian or a domiciled European in this country, might have the capacity for every duty that you have referred to, who has not passed a mere literary test?—I am sorry I do not catch your point.

16126. The present compititive system or for that matter any competetive system established in India would not test the qualifications which you think necessary for the higher posts?—No.

16127. Then I ask, is it quite inconceivable whether any other method might be arrived at for obtaining the needed capacity either by the domiciled community, the Indian, European or the Anglo-Indian Community in this country?—I think it is quite possible, but there are objections to most of the systems that have been proposed, I think it is conceivable that a system might be devised.

16128. It is a matter worth consideration, is it not?—Yes.

16129. Then as regards the questions just put to you by Mr. Ramsay Macdonald, I take it, the Government have two things to consider in deciding on its public actions, first, the claims of educated Indians and then the real needs of the voiceless masses: to which of these two classes of responsibilities do you attach the greater importance?—It is a very difficult question to answer; it depends upon whether you are looking for efficiency or for purely political considerations.

16130. What I mean is this: here is a country with over three hundred millions, a part of whom are articulate and a great majority of whom are voiceless. Do you think that their interests centre or run in the same direction?—Certainly not.

16131. Then, having regard to that differentiation, the Government has to consider the different classes of responsibilities: I do not want to pit them against one another, unless you think that both are equal and one is regarded as more important than the other?—Yes.

16132. Which would you take to be the more important?—There again, it is a question from what point of view you are looking. If you are looking to the good government of the country and its efficiency, I say that the interests of the masses are more important; but if you are looking, for political considerations, for the future of India—purely political considerations—then I am not so sure.

16133. I merely wanted to know your opinion as a responsible official, and if you have any objections, you need not give it. With regard to the three Indians who are said to have been so successful and of whom Mr. Ramsay Macdonald asked you why they had not any further career, had you, or had you not, with reference to the whole responsibility of the Government to consider all individual claims in the whole service, European and Indian?—Yes.

16134. I am naturally interested in the domiciled Anglo-Indian Community. Have you ever considered that they have produced without passing examinations, men of some character and ability even though brought up entirely in this country?—Yes.

16135. You have experience of them in various capacities?—Yes.

16136. Do you or do you not think that anything more can be made of them than is already made?—I think they are being used. They may possibly be more used. I think that with further education and so forth they might be of use in higher capacities.

16137. What I mean specially is that before the Provincial bar was placed upon them, they rose not merely to official distinctions but to what the world recognizes as eminence in various capacities. Do you think, not only in their interests but in those of the country and the Government, that that kind of talent, if it still exists, ought to be developed to great advantage?—Certainly.

16138. (*Mr. Madge.*) In regard to your answer to question (71), it is a question of whether probationers should be sent Home early or late. Some witnesses think that the earlier they go, in the more impressionable years of their life, the more they will benefit. Others have thought they would benefit more by going later in life when their powers of observation are better developed. To which of these two opinions do you incline?—To their being trained early.

16139. My reason for asking you is that possibly you have not heard the other view, and I wanted you, with both views before you, to confirm one opinion or the other. With reference to the Statutory system, do you think it failed because the system itself was bad, or because the selections were unfortunate?—I think it failed because they were unable to find who would not come into the Provincial Service, though they were suitable, but who would come into the Statutory Service. They tried first of all to get men of good family and failed, and then they tried to get men who had already entered the Provincial Service and failed there, possibly because they got bad appointments.

16140. What I wanted to get from you was whether the system was such a modern and scientific system that it was difficult to adapt the minds of men of good family to it, influential men in the mufassal?—I think they failed to get them; it was not attractive to them.

16141. With reference to the appointment of an Under-Secretary, do you think that such an appointment requires an extensive knowledge of executive work in the mufassal before coming into the Secretariat?—I think it certainly does, to be useful.

16142. You have claimed certain reserves for the Civil Service. May I take it that you make that claim not in the interest of the Service itself, but in the interest of good government generally?—Yes.

16143. You have not given any opinion about the separation of the Executive from the Judicial. Do you desire to speak on that point?—I did not think the question quite raised that, and I have not given my views.

16144. Would you object to giving an answer to this question. Do you think it should be early in the life of a young Civilian or that he should acquire longer experience as an Executive officer that would be useful to him on the Bench?—You mean the bifurcation in the Civil Service?

16145. Yes. Should it begin early or comparatively late?—I certainly think about six years.

16146. (*Mr. Abdur Rahim.*) You have said that you would like to see the listed posts somewhat enlarged?—Yes.

16147. And you have suggested a scheme that after twelve years' service the men might be picked out for the listed posts.—Yes, about twelve or fifteen years.

16148. Do you insist upon twelve years? Supposing it was less than twelve years, say at a younger age, six, seven or eight years?—I said twelve years because the Civilian has to have eight years' training before he goes permanently into a district. I do not think that it would be reasonable to suppose that an Indian trained in India would require less than that, and he very likely would require more.

16149. Supposing you picked out men with seven or eight years' service and you put them in somewhat heavier subdivisions, that perhaps would give more satisfactory results than if you took them at a later stage of their service?—Of course, by the end of their twelfth year they would have had heavy subdivisions. They would have done the ordinary work of the Provincial Service, and *ex hypothesi* they would be good men and would have had heavy subdivisions. They would have had all their training.

16150. One of the defects in a man holding a listed post is generally that he is not able to get on with his European colleagues, because he has not had any education or training in England, is it not?—Yes, I think the want of that training does affect them in their relations not only with Europeans but with other people too.

16151. But supposing you selected the men, say after seven years' service, and sent them to England, or encouraged them to go to England, do not you think that would put them in a better position to get on with their European colleagues?—I think it certainly would. It would certainly improve the Provincial Service, or probably would do so.

16152. I should like to know whether, in your opinion, the Indians have not done well as Judges, from the Munsifs right up to the High Court?—As far as I am in a position to judge: I have not studied the judicial side of the question very much.

16153. Then when you said the Indians were lacking in certain British characteristics you did not mean so much the Indian Judges?—No. It was mainly Executive. With regard to the work of the Indian Judges, it does not come so much before the Government except through the High Court.

16154. You would not be prepared to depart from the opinion which has been expressed by very high authorities that Indians make very good Judges as a rule?—You mean purely as Judges?

16155. Yes, as Judges?—There are District Judges, Sessions Judges, and the administrative duties of Judges; they are all three rather mixed up. As regards purely legal work I have always heard they are good.

16156. Do not you think that District Judge's most important work is the judicial work?—I am afraid I am not very competent to give an opinion on this. I have never been a Judge. I was Registrar of the High Court, but only for three months. I understand that the District Judge has most of his time taken up with Sessions work in Bengal at present.

16157. That is judicial work?—Yes, it is judicial work, trying cases.

16158. I take it your remarks were practically confined to the Executive branch of the Civil Service as regards the suitability of Indians to hold high official administrative posts?—Would you mind referring me to the particular remarks you are alluding to.

16159. That you think a certain training in England is necessary in order to make efficient officers. When you said that, you were thinking mostly of the members of the Executive branch?—I am thinking primarily of the Executive branch because I have dealt chiefly with that branch all the way through.

16160. Will you tell me what you think of the Muhammadan officers as a body in the Provincial Service?—I think they are good.

16161. Do they compare favourably or unfavourably with their brother officers in that Service?—As far as I know there is no difference between them as regards their work. They compare quite favourably with them.

16162. I suppose you know that the Provincial Civil Service has produced some very distinguished Muhammadan officers? Of these, several of whom have retired during the last ten years, some have been appointed Ministers of State in Bhopal and Hyderabad chiefly, and some of them have held Inspectorships of Registration.—The last Inspector-General was a Muhammadan.

16163. Some of them have been Presidency Magistrates?—Yes.

16164. Have you any distinct opinion how the work of officers in the Provincial Service selected by nomination compares with the work of officers in that Service selected by competition?—It is very difficult to say, because there has been no distinction kept in the Civil List, or in any way at all, between the two; but I did try to find out whether the men taken by competitive examination or by nomination had been most to the front as regards appointments to listed posts, and so on, but I do not think there is anything in it.

16165. There is no difference?—So far as I can see there is practically nothing at all in it.

16166. I should like you to refer to your answer to question (88) of the Indian Civil Service. You were asked how far the functions of the officers of the Judicial and Executive branches of the Indian Civil Service were differentiated, and whether any changes were necessary, and you point out that at the end of the twelfth year an officer makes a choice and is assigned to the one branch or the other. But does not the same officer combine in himself the two functions even under the present system?—In the ordinary way when you talk about the Judicial branch you mean only the superior Judicial branch, the Judges, after the bifurcation.

16167. Do you not include the Magistrates in the Judicial branch?—Not in the ordinary parlance. If one were talking in the ordinary way of the Judicial branch, one would mean the Judicial as opposed to the Executive, that is to say, the Judges.

16168. That is what you mean then?—Yes.

16169. When men are appointed Judges or Collectors, one has nothing to do with the other; the Collector performs executive work and the Judge does judicial work?—Yes.

16170. But the Collector also does judicial work, does he not?—He is also a Magistrate.

18171. In that sense there is a combination of the two?—Yes, there is. It is simply a matter of the form of the question. I answered the question as it was put down. In the ordinary way the Judicial branch means simply the Judges.

16172. Then there is a combination of the two functions in the Collector?—Yes, the Collector has magisterial powers.

16173. Have you formed any opinion as to whether that combination is desirable in the interests of the administration of justice?—My own purely personal opinion is that there is no substantial grievance. It does not work any real, substantial hardship. But there is a considerable amount of opinion against it, and I should be perfectly satisfied, with adequate safeguards, to divorce the two.

16174. Do you know that during the time of the unrest in Eastern Bengal, there were three districts which had Indian officers from time to time at their head?—There was, Noakhali, and Pubna up till 1908, and Bogra too.

16175. During their incumbency I think the districts were very peaceful, were they not; there were no disturbances there?—I could not say with any certainty.

16176. You have not looked up that matter at all?—No, during that time it was under the Eastern Bengal Government.

16177. My information is that during the time they were District officers those districts were very quiet and peaceful, with no disturbance or trouble there?—I could not say.

16178. I should like to have some information from you as regards public schools in England. Are there many boys from Bengal who are in public schools in England?—I could not say. I have not been in touch with public schools in England since I came out here.

1679. Have you heard that Indian parents find it difficult to get their boys into public schools in England?—I think I said to Mr. Macdonald that I have heard so quite lately. More or less in connection with the work of this Commission, I have heard it said that they do find it difficult, but I have no personal knowledge of it at all.

1680. If there is any such difficulty, I think you said to Mr. Macdonald that you would modify your opinion?—I said that if it were impossible for them to get this European training, the whole thing would have to be reconsidered; but I should first try to get over the difficulty of their getting European training in England.

16181. You know that the cost of sending boys to public schools in England would be very great?—Yes, it is expensive.

16182. That would limit the field very much?—Yes, as far as that goes. I would not insist on their going necessarily to Eton and Harrow and Winchester.

16183. Will not it come to this under your scheme, that they will have to send boys early enough to be trained there?—I should like to see them do that.

16184. And the result will be that only a very few rich men will be able to send their boys at all?—I should have no objection to a system of scholarships.

16185. You would encourage that by a system of scholarships?—I think it is so important to get that training that I would certainly get over the difficulty by scholarships.

16186. Does it come to this that you are not able to get a sufficient number of the best boys to be trained in England if the ages are reduced, you would suggest that a system of scholarships ought to be instituted?—Yes, I should have no objection to a system of scholarships as a means of getting good Indian boys to England early enough to be thoroughly trained. I have not thought it out at all.

16187. Then I think you said, in answer to a question, that the Judicial branch had higher pay than the executive branch?—Yes.

16188. Do you know that the main reason for that was to induce men to select that branch?—Yes.

16189. Otherwise, the Executive branch seems to have more attractions for the members of the Indian Civil Service?—That is why the Judicial pay always has been higher.

16190. Do you not think that is desirable?—It is certainly most desirable to get good men there, but I am not quite sure whether the attractions of the Executive over the Judicial are quite as great as they used to be.

16191. It is the Civil Service opinion, is it not, that the inclination in the Service is to go in for the Executive branch rather than the Judicial branch, other things being equal?—I think there is a tendency of late the other way.

16192. Is that owing to the pay?—I do not think so. I think the general consensus is that the life of a Judge is more independent nowadays and safer.

16193. Then camp life has not the same attractions it used to have?—No. The District officer does not get very much camping in these days. Camp life is really done in the subdivision.

16194. However, you would not like in any way to lessen the attractions of the Judicial branch of the Civil Service, would you?—No. I think it is essential that the Judicial branch shall get its share of good men.

16195. (*Sir Valentine Chirol.*) I should like to carry a little further the point raised by Mr. Macdonald. I understand your answers to questions (9) and (10) correctly to mean that the measure of European training necessitated by the competitive examination held in England affords at present the only available presumption that a young Indian possesses the qualities requisite for taking part in the administration of India on British lines?—Yes.

16196. You would not, however, deny that in certain exceptional cases a young Indian educated on Western lines in India, seeing the facilities there now are for Western education in India, might possess the qualities necessary without actually going to Europe?—It is quite possible.

16197. It would be rare, but it is quite possible?—There is no reason it should not be possible.

16198. However, there is no other presumption that he possesses anything at present except the training to be got in England before the competitive examination?—No.

16199. That refers to the untried Indian who is a candidate for public employment?—Yes.

16200. But when the Indian has actually entered the public service through the Provincial Service, when he has discharged the responsible duties of that Service satisfactorily and has shown that he possesses a good many of the qualities which you regard as more likely to result from a European education, does not that establish a presumption, and indeed a proof, that he is fitted to take a share in the administration of the country on Western lines?—He is of proved merit.

16201. Supposing you took a young Indian who had given that proof that he possessed a great many of the qualities of which we have spoken, and that he was sent for a year to England before being promoted to what are called now the listed posts, do not you think he would have as good a chance of turning out to be an efficient public servant, in the highest sense of the term, with those qualities which we believe to result from an English education, as a candidate who has gone to England and prepared there for the competitive examination?—I think it is a question of the extent to which he can absorb, during the time of his stay in England, those British characteristics. He might administer a district quite satisfactorily.

16202. But in this case the young Indian has already given proof of considerable qualities in the course of a certain number of years' work in the Provincial Service. You have already an actual ground-work to go upon which you have not got in the case of the young student who goes to prepare himself for the competition. In considering the question of the necessity for European education, must you not also take into consideration the fact that your test for a candidate is not always and invariably successful in turning out a public servant endowed with the qualities that we speak of?—No. It involves the assumption, that is all. It does not test the qualities.

16203. Will not you admit that the presumption is considerably stronger in the case of a man who has actually worked creditably for several years in the Provincial Service, and that if on the top of that you give him a year's training in England, the chances of his being an efficient public servant will be very much greater than that of a candidate who has simply had the preliminary advantage of education in England before his examination?—Yes, but of course the Indian candidate who gets in by the examination at home is assumed to have those qualities. It does not always follow that he has. If it is a question simply between the Indian candidate who goes home for the Civil Service examination at 19, or whatever it is, and spends two years at home, and the man who comes in through the Provincial Service and the listed posts and then goes home for a year before he is appointed Collector, I think the latter would have more chance of being as good an administrator as the former.

16204. Do your think that Mr. Justice Rahim's objection, that the public school training is too costly for most Indian families, might be met by an increased number of scholarships to young Indians desirous of entering the Service and possessing certain school qualifications—a scholarship granted by Government?—I think so.

16205. Do you think it desirable to increase the number of young Indians in the Civil Service, subject to the maintenance of those British characteristics?—Yes. The British characteristics are the thing, and whoever possesses them ought to have a fair chance of getting in.

16206. And it is desirable that we should do as much as possible in India to give the Indians who possess them a chance, and to give as many Indians a chance of possessing them as possible?—Quite so.

16207. To turn to another aspect of the question, do you think that if simultaneous examinations are introduced, candidates for them are likely to be drawn in any large measure from any other classes than those that are called the educated classes in this country?—I do not think so.

16208. Has the attitude of the educated classes, as far as they can be judged by the action of their political leaders and of their newspapers, shown a tendency of late years to encourage the participation of students and other youths in more or less violent political agitation?—Yes, I think that is so to a certain extent.

16209. And would not that tend to fortify you in the belief you hold that young Indians who aspire to enter the Indian Civil Service should prepare for their examinations in an atmosphere less subject to those influences, that is to say, in the London atmosphere?—I think that is certainly so.

16210. We have heard here that in some districts in Bengal some of the highest posts have been occupied by officials who were Natives of India?—That is so.

16211. Have there been within recent years, to your knowledge, cases where after a district has been manned with regard to the highest posts, for a certain period, entirely or almost entirely by Indian officials, the district has got into such a condition that it has been necessary to remove those Indian officials and to replace them by Europeans?—It is rather difficult to answer that question without bringing in particular districts.

16212. Perhaps you would rather answer that question in private?—Yes.

16213. You said just now that you would be prepared to accept the divorce of the executive and judicial functions in the case of Collectors, subject to certain safeguards?—Yes.

16214. Would you mind specifying what those safeguards are and what are the particular dangers you wish to meet by them?—I think the first and most essential one is that the divorce should not be regarded as being intended by the Government to be aimed at the power and prestige of the District Magistrate. If it is regarded, or liable to be regarded, as a measure aimed at the power of the district officer, I think it will do great harm. If it is understood that it is merely to increase the efficiency of administration, then I do not think there is any harm. The second proviso is that there should be some officer other than the Judge and other than the Collector who shall supervise the Subordinate Magistracy; I do not think that they can be possibly left to themselves. They want the control and inspection they now get from the Magistrates in some form or other, and that must be provided for. The last proviso is that the promotion or transfer of the Subordinate Magistracy should remain in the hands of the Government, as it is now theoretically in the case of the Munsifs.

16215. With regard to the pensions of the Civil Service, the proportion borne by the contributions of civil servants in the course of their term of service to the pension they ultimately receive, are you aware that some actuarial authorities, making the best use they can of the slender materials in their hands, have come to the conclusion that the share borne by the I. C. S. man is generally considerably greater than is apt to be considered?—That is a general impression.

16216. In fact Government make a very good bargain at present?—Yes.

16217. (*Sir Murray Hammick.*) I should like your opinion on a suggestion which has been made to us that instead of allowing officers to accumulate three months' privilege leave at the end of three years and take it, the system of accumulative privilege leave should be dropped altogether and that an officer should be, in a way, compelled to take a month's leave every year. Do you think that would be an advantage on the present system?—I do not think it would either to the officer or to the Government. It would mean continuous small breaks in administration all over the Province, and everybody would want to take their privilege leave at one period of the year, and if they could not accumulate it you could hardly refuse them.

16218. That, of course, would be a great difficulty, but do you think on the whole a man is benefited more by a month's rest at every year than by working three years and then taking his three months?—In Bengal we have the Pujas, which give from 12 to 15 days' rest at a time as a rule when you want it most—at the end of September and beginning of October—and I think that serves to a very large extent the object of having one month's privilege leave. If you get a rest like that and an occasional rest you can go on all right for three years.

16219. You are inclined to think that the inconveniences of that arrangement would not be compensated by the benefit that would be derived from it?—I do not think so.

16220. Are you finding it difficult now in posting Assistant Collectors to find a district where the Collector and his assistant have reasonable time for looking after the Assistant Collectors who are sent up-country?—No, I do not think so. As I explained, it is mainly a question of personality and not so much a question of time. The Assistant Collector as a general rule goes straight and lives with the Collector, and is brought into actual contact with him and imbibes his training in the intervals of meals, and so forth.

16221. I suppose your districts are getting every year more and more swamped with work?—Yes.

16222. Have the new election regulations for the Provincial Legislative Council and the increased number of elected Boards in the Presidency given the Collector a good deal of extra work?—I have not had anything direct to do with the new election regulations, but I certainly think they must do.

16223. They are the officers who prepare the franchise rolls?—Yes, they are primarily responsible for keeping up the franchise rolls.

16224. And I suppose the criticism of these franchise rolls is every year becoming more and more acute, and that that must give the Collector a considerable amount of work?—Yes, and it is worrying work.

16225. Do you know that in Madras we have no Commissioners?—Yes.

16226. Does not that account in some way for the higher pay of the Collector?—Of course, it does.

16227. (*Mr. Bompas.*) Talking about the attractiveness of the Service, you said you thought the present generation of civilians would not put their sons into the Service. Do you think that the civilians recruited after 1891 are likely to put by any considerable saving by the time they retire? Will they retire with any sums saved?—Certainly not.

16228. As to the qualifications of the Provincial and the Subordinate Services they are drawn from the same class, but in your experience is there a class of men who would take a post in the Provincial Service but who would refuse an offer of one in the Subordinate Service?—Undoubtedly, they are drawn from the same class to this extent, that very much the same class of men will enter both, but the men who enter the Subordinate Service only do so with the hope of getting into the Provincial Service by promotion. They would none of them be content to enter the Subordinate Service as a career.

16229. It was suggested to you that men in the Provincial Civil Service who have been promoted to listed posts did not do well in those posts because they had not the incentive and the prospect of being promoted to a Commissionership. Would you say there was any force in the contrary consideration, that an Indian officer working in an Indian district is probably more sensitive to the criticism and the approbation of the people of the district than an English officer?—He is certainly more susceptible to it.

16230. And having been picked out for a special post it is natural to suppose he would strain every nerve to justify that selection in the eyes of the people of the district—Yes. I do not know that he would consciously put it in that way, but he would feel that he was open to public opinion in a very special degree.

16231. With regard to the duties of the Secretariat, I suppose the Secretary to Government advises Government on large questions of policy?—Yes.

16232. But the duties of an Under-Secretary imply more than power to write fluent English and draft a letter according to orders?—Certainly; they imply the possession of a fairly sound judgment and a fairly wide view, and also the power of grasping facts and sense of proportion.

16233. And he would have power of dealing with all routine and minor matters himself?—There are many questions that never go to the Secretary at all.

16234. And he has to have the power of mind to distinguish what is important and what is unimportant?—Yes.

16235. (*Mr. Mukharji.*) You have in certain portions of your evidence recommended several things for the benefit of the Provincial Service. You would like to see an extension of the listed posts, you would give them a grade of Rs. 1,000, and in certain places where you consider that the district is understaffed you would like to increase the staff? With regard to the higher grades, do you know as a matter of fact that in the year 1882 the Government of India prescribed that 15 per cent. of the posts should be in the grades above Rs. 500, namely, in the proportion of 3, 4 and 8 for second and third grades?—Sir David Barbour drew up certain tests.

16236. I can give you a few details from Sir David Barbour's note?—The Government of India prescribed three scales and left it to the Provincial Government to adopt which one they liked.

16237. It was arranged at the time that there should be 15 per cent. of the posts in the first three grades?—Yes. The 1881 grading was followed up to 1899 and it was abandoned chiefly, I think, for financial reasons.

16238. So that on that basis the 15 per cent. should be increased a little more?—Yes. You ought to get it in proportion, following the grading.

16239. Proportionately it ought to be raised?—You would follow the grading.

16240. But just now only 9·3 per cent. of the posts are in the first three grades. Should not they be increased?—I think at least the scale of 1881 ought to be followed.

16241. It ought to be worked up to?—Yes.

16242. You will admit that that has led to serious congestion in the fourth and fifth grades?—Yes.

16243. And there are men there, according to the Civil List, who have been eight and ten years in those grades.—The congestion has been worse about the fifth and fourth grades

16244. You will find on referring to the Civil List that there are several vacancies left open in these grades which have not been filled up and people are rather discontented with that. Is there any reason for it?—I think the reason for that is that difficulties have been experienced in bringing together the Assam cadre and the Bengal cadre and fitting them in. Until that is done, the vacancies cannot be filled up. It is simply a question of the difficulties of amalgamation.

16245. Then in your answer to question (26), dealing with Provincial Service, you say a time-scale is only necessary where there is bad grading, and in that case you would like to improve the grading. Could you give the Commission any idea as to what extent you would like to see it improved?—You should certainly bring it up to the scale of 1881.

16246. With regard to pensions, there is a rule that Deputy Magistrates lose the first two years of their service which do not count towards pension, and that is felt to be a grievance. Are you aware that there is such a rule and could it be altered?—That grievance is based entirely on a misapprehension. Between 1891 and 1899 there was a great expansion of the Settlement Department, Excise Department, and so forth, and men were taken from the Provincial Service to fill those departments. In their place in the Provincial Service officiating Deputy Collectors were appointed who had no substantive appointment and therefore could not count their service for leave or pension. In 1899 it was said that the average length of service of these men which they could not count was about eight years, and there were about that time a hundred of them. The Government of India then, as a concession, allowed them to count anything over two years. The thing was really a concession. The rule in the Civil Service Regulations was put in then, but at the present moment it is practically inoperative, because a Provincial Service officer has to undergo one year's probation under the rules, and he is confirmed after that year's probation as soon as there is a vacancy for him. I believe the average now is about 18 months. None of them ever work up to that two years. I think the grievance is based entirely on a misunderstanding of the Civil Service Regulations.

16247. But they find that the Police probationers count the whole of their service towards pension?—That is under the Civil Service Regulations which applies to all services in India, that a probationer can count his service for leave and pension if he is drawing substantive pay and he is a probationer in a substantive appointment. In the case of the Provincial Service, the probationers are appointed at Rs. 100 and not on substantive pay, and they are not probationers in a substantive appointment. Therefore it is under the ordinary rules governing the services in India.

16248. Do you know as a matter of fact that the Police and the Superintendents of Post office and other officers of the Service draw first-class travelling allowances when they are out on duty. Do not you think the Provincial Service ought to get the same? They cannot get it now except they rise to Rs. 600 and oftentimes it works very hard?—The rule as to that is that an officer who draws Rs. 500 and over is a first class officer and draws first class travelling allowance. In addition to that, the Government of India have from time to time included in the appendix to the Civil Service Regulations certain other services, and among them are Deputy Magistrates who are holding subdivisions. As far as my own personal feeling is concerned, I should be quite pleased to see Deputy Magistrates in the appendix as first class officers, partly on account of the added prestige it would give them and partly because I think the second class travelling allowance does not pay their expenses taking them all round.

16249. There was a competitive examination for entrance into the Provincial Civil

Service, the executive branch, before 1905, which was abolished in that year?—Yes.

16250. You know that several people want an open door. Could you tell the Commission why that system was abolished?—It was abolished because it was felt in India generally that there were too many special examinations, and that the University examination gave a qualifying standard, and that it was not necessary to institute a large number of other examinations which might compete with the University examination and take people away from finishing their University course, in order that they might go up for the special examination. It was felt that if the examination was to be on the same lines as the University examination, it was unnecessary, and if it was to be on other lines, it was harmful.

16251. (*Mr. Sen.*) In reply to Mr. Justice Rahim you said your remarks were confined to the executive and you did not touch the judicial side?—As regards the Provincial Service, they are entirely confined to the executive.

16252. Is your answer to question (39), dealing with the Indian Civil Service, confined exclusively to officers of the executive side?—No.

16253. With regard to your answer to question (104) of the Indian Civil Service; you say "The case of a Provincial officer holding a listed post is rather different; he is not recruited into the Civil Service; he is holding a prize appointment; and the recommendation of the Public Service Commission of 1886 that his pay should be regulated without reference to the pay drawn by the Indian Civil Service seems the correct course. The pay of these appointments should therefore be sufficient to attract the ambitions of the best men in the Provincial Service. At present theoretically an officer holding a listed post rises *pari passu* through the grades with his contemporaries in the Civil Service, but in practice very few of them serve long enough to go through the grades." You have not recommended what pay the officers appointed from the Provincial Service to listed posts should get?—I have made no definite recommendation; it should be a pay sufficient to attract.

16254. What in your opinion would be sufficient, two-thirds or the same pay as a member of the Indian Civil Service?—I do not think I am prepared to make any definite suggestion. I have no reason to suppose that two-thirds pay does not attract the best men.

16255. Do you think two-thirds pay is what is necessary?—I see no reason to suppose it does not attract them.

16256. With regard to privilege leave, there is a rule that no one can take privilege leave within six months after joining his appointment?—Yes.

16257. Do you think that rule is necessary in the interests of all Government officers?—No, I think all these restrictions are unnecessary, and I think I have said the Government of India have made proposals which are to do away with that.

16258. Specifically about this one?—That is included. There is one point, my Lord, which I should like to make clear in my answer to question (4) of the Provincial Civil Service. I have said there that in 1891, 24 officers were appointed by pure competition, of whom 18 were Hindus, 4 Muhammadans, and 2 Eurasians. I have since been able to look up the Gazette notifications and I find that what happened was this. They had six appointments to fill and they filled four by competition and two by nomination, and the two nominations were the two Muhammadans. They then found there was a deficiency in the Service amounting to 26 altogether, and they therefore took the next twelve on the list of the competitive examination and put them in; they were all Hindus. The four Muhammadans and two Eurasians were not appointed by competitive examination. With regard to 1890, I have not been able to test that, but I have very little doubt that exactly the same thing happened there and that no Muhammadans have ever been appointed by competitive examination.

(The witness withdrew.)

ARTHUR HERBERT CUMING, ESQ., I.C.S., District and Sessions Judge, Calcutta.

Written answers relating to the Indian Civil Service.

16259. (13) Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I would not recommend any separate method of recruitment for the judicial branch of the Indian Civil Service. So long as India is administered on Western lines, it is essential that a considerable proportion of its judiciary should be composed of Europeans recruited in England. The only alternative method of recruiting the Judicial branch of the Civil Service would appear to be from the practising members of the Bar. It is obvious that candidates so recruited, whether selected by nomination or competition, would possess mental equipment inferior to that of candidates selected by open competition. It will be undoubtedly conceded that the intellectual standard of the successful candidate in the open competitive examination is incomparably above the standard required to pass the examinations which qualify for a call to the Bar. The pay of the Indian Civil Service would not suffice to attract the man who is beginning to make his way at the Bar. This method of recruitment would secure only those who, through lack of ability or energy, do not aspire to rise above mediocrity in their own profession. Judges in England are, no doubt, men who have been successful at the Bar, but they take a seat on the Bench when their future is already secured, and as a relief from hard work and an honourable, dignified, and not overworked position for their old age. Further, it must be borne in mind when considering the best system of recruitment for India that the District Judge should be more than a lawyer, pure and simple. He must have some knowledge of the people, their language, their customs and manners. Without this he cannot possibly do justice. Men recruited direct from the Bar would come to their work entirely ignorant of these matters, and they would never have any opportunity of remedying the defect. They would look at every question purely from the legal standpoint, without considering the ultimate result of the decision they gave. Such an attitude may be suitable for a highly developed country, but is fraught with many dangers in dealing with an ignorant and highly litigious people, such as obtain in the mufassal in Bengal. The District Judge in India, moreover, has in many cases as many as 15 or 20 courts subordinate to him, for the due working of which he is responsible. In many districts his administrative duties are almost as important as the judicial. Judges appointed direct from the Bar would have had no administrative training whatever. Now, can it be justifiably assumed that practice at the Bar constitutes the best training for a Judge? The system of recruiting Judges from the Bar is peculiar to England and its Colonies. The system of all the other great European countries discards this method of recruitment and approximates more nearly to the Indian system. Having regard to the conditions of the country and the special qualifications required by an officer who has to administer justice in India, I am of opinion that candidates selected in open competition would, if properly trained, provide the most suitable and efficient judicial officers. It cannot be denied that the present system of training is far from satisfactory. It would be perhaps more correct to say that the judicial officers recruited after 1891 have received no legal training whatever. In spite of this, however, it cannot be justly asserted that the judiciary as a whole has proved unsuccessful, and with proper training it can be reasonably expected that officers with similar mental attainments will make very capable and efficient Judges. If their work is carefully examined it will be seen that, so far as appears from the result on appeal, their work is but little inferior to that of the far more highly trained Subordinate Judges. Properly trained, their work would be far better. Further, it must be remembered that their civil work forms but a small part of their duties. Their most important duty is the criminal work, and I do not think that it has been seriously argued that they make bad criminal Judges. The course of training which I now advocate would entirely remedy the existing defects. This course has been fully detailed in the answer to question (64), and it is unnecessary to recapitulate it here. The officers so trained would come to their work with a good theoretical knowledge of the law they had to administer. They would have the advantage of a thorough grounding in the principles of law and of a practical training in procedure and business in England. They would have some knowledge of the language, the people, their customs and way of thinking and of administrative work, which they would have acquired during their first years of service while attending the settlement camp or in charge of subdivisions. The barrister recruited from England at the age of, say, 35 would have none of this knowledge and would never have the slightest chance of acquiring it. He would know nothing of Indian law, nothing of the vernacular, nothing of the people. I do not therefore recommend that any change should be made in the present system of recruitment for the Judicial Service.

16260. (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The duration of the probationer's course in England should be two years under the present system of open competitive examination. The present term of probation in England, viz., one year, is not sufficient to afford time for the necessary legal training of the probationers, and I would propose to revert to the system in force before 1891, under which the duration of the term of probation in England was two years. This would afford time for the necessary preliminary legal training. The reason for fixing the duration at two years will be found to have been fully discussed under question (64) which deals at length with the training proposed for those who are selected for the judicial branch of the Indian Civil Service.

16261. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—The two years' probation in England immediately after the passing of the open competitive examination should be spent, as now, at an approved University. The only alternative would be either a separate institution devoted entirely to probationers for the Indian Civil Service, or to allow each probationer to make his own arrangement for the study of the different subjects prescribed for the final examination. Neither of these two alternatives would commend itself to me. Residence at an approved University would broaden the probationer's views. He would mix with men of his own social position, and his manners and polish would be improved. He would be under a certain amount of supervision and would have people to whom he could go for advice in any difficulty. The necessary theoretical legal training is available at the University. A separate institution devoted entirely to probationers for the Indian Civil Service would be very expensive. Residence at such an institution would have a narrowing effect on the probationer, and would tend to make him parochial in his views of life. The social side alone of the University training is most valuable and is becoming daily more important in India. The disadvantages of the only other alternative are so obvious that it is unnecessary to dwell on them.

16262. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—The probationer should receive allowances during his period of probation. The period of probation is devoted to the training of the probationer to fit him for his duties in India, and to make him a more efficient servant of Government. It cannot be said to form any part of the scheme of his general education, which must be considered to be over. Parents have a right to expect that their sons should be self-supporting at the age of 22 or 24. To refuse an allowance for the periods might have the effect of shutting out the brilliant sons of poor parents, or of sending them out to

India to begin their career burdened with a heavy debt—a condition which I have reason to believe is not uncommon at present. As to the scale of allowances, it should be liberal. It is useless to send a young man to the University without the means of joining in the social life which forms such an important part of his training at the University, and the importance of which may be easily underestimated. An allowance of £200 per annum for the two years' training cannot be considered an over-estimate. Further, he should be provided with a first-class passage to India. An officer should realize from the first that he has a certain position to keep up. £200 should cover the ordinary expenses at the average college. I consider some allowance should be made for the expenses during the vacation. For that, £100 per annum might be added. This is a modest estimate for his expenses during the vacations, which, it must be remembered, last about half the year. As to the conditions.—The allowance should be paid quarterly. The probationer would give an undertaking to refund the money in the event of his failing to pass his examination or not proceeding to India. The amount of allowances might be made to depend on the class of University to which the probationer went. He should be encouraged to pass his probation at either Oxford or Cambridge, the only two Universities which really provide the necessary social training.

16263. (48) If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—The answers to question (45) may be read. For the reasons which are there fully stated, I am of opinion that the terms of probation should be spent at an approved University.

16264. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—The answer to this question will be found in the answer to question (45). For the reasons given in the answer to question (45), I do not consider that it is desirable to establish in England a separate institution for the training of probationers for the Indian Civil Service. It has been pointed out that such an institution would be expensive, that it would have a narrowing instead of broadening effect on the men trained in it, and that the social side of University life, the importance of which may easily be underestimated, would be entirely lacking.

16265. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education, and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—The answer to this question must depend, to a certain extent, on the age of admission for candidates at the open examination. If the age-limit be either 21 to 23 or 22 to 24, there can be no hesitation in accepting the principle. Even if the age-limit is fixed to include boys soon after leaving school, as for instance the 17 to 19 limit, it would still seem necessary to accept the same principle. I attach much importance to a thorough preliminary training before leaving England, and this can only be secured by the probationer devoting himself entirely to the studies that have a special tendency to fit him for his future calling. This point may well be borne in mind in deciding on the proper age-limit. The answer to both portions of the questions is therefore in the affirmative.

16266. (51) Please examine the statement printed as Appendix VI to those questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—The course of studies prescribed in 1912 for probationers provides practically no legal training. It is confined to Indian Penal Code, the Code of Criminal Procedure and the Indian Evidence Act. The subject of civil law is left entirely untouched, and no provision whatever has been made for the practical training of the probationers. In my opinion, it provides an entirely inadequate legal training for a judicial officer. The course of studies prescribed for the final examination in 1891, so far as the law syllabus is concerned, provided a very fair preliminary training, both theoretical and practical, and with the addition of the Transfer of Property Act, the Specific Relief Act, the Certificate Act, the Insolvency Act, the General Clauses Act and the Rent Law of the Province to which the probationer may be sent, would furnish an adequate preliminary theoretical legal training. I would further recommend that, in addition, selected probationers should also read for the Bar, taking all the Bar examinations up to, but not necessarily including, the Final. There should be no difficulty in managing this in a course lasting two years, the period which is recommended for the first course in England. The above course would ensure a good theoretical knowledge of the Codes and Acts which are required in general use by a judicial officer; the principles of jurisprudence and the practical course, by which is meant the attendance at the law court and the reporting of cases, would supply the practical knowledge of procedure, conduct of business and relations between the Bench and the Bar which is so essential for a Judge. It must, however, be understood that the first two years' course in England, so far as those who are selected for the judicial branch are concerned, must be regarded strictly as the preliminary training. For those who are so selected a further practical training in India has been recommended, with a further theoretical and practical training in England for one year. The further course is briefly outlined here. The probationer, after coming out to India, would do the ordinary work in the general line, passing his departmental examinations, attending the settlement and survey camps, and holding charge of a sub-division. This should make him acquainted to some extent with the manners, habits and language of the people. He would then, about his fourth year if he is intended for the judicial branch, begin to try original civil suits, being vested with the powers of a Munsif; later, he would try original suits with the powers of a Subordinate Judge, and about his seventh or eighth year would be sent home to England again to undergo a further legal training. This should consist in reading with a selected barrister in Chambers and taking his call to the Bar. Considerable importance is attached to the call to the Bar. It not only requires a sound legal education in itself, but the fact that a Judge is a Barrister-at-Law gives him at once a certain *cachet* which is wanting in the civilian Judge who has not been called, and to which in India perhaps undue importance is attached. It might be argued that a knowledge of English law is unnecessary to the Judge in India, and might only tend to confuse him. It must, however, be remembered that the principles underlying both systems are the same, and that many of the codes, such as the Contract Act, the Insolvency Act, and to some extent the Transfer of Property Act, are mainly founded on English law, pure and simple. The trying of original suits as a Munsif and Subordinate Judge would supply the necessary training in original work, which is so essential for a Judge before he disposes of appellate work, and which has hitherto been entirely neglected. Much importance is attached to the reading with a selected barrister in Chambers. This would give an insight into the working of the court from the other side, viz., that of the Bar. The probationer would accompany the barrister into court, and if he had already been called, might take an active part in the conduct of the case.

16267. (52) In particular, please state your opinion as to the desirability during the period of probation of (*i*) compulsory attendance at law courts in England and reporting of cases; (*ii*) the teaching of Indian law in addition to the general principles of jurisprudence; (*iii*) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(*i*) The compulsory attendance at the law courts for the reporting of cases should be considered as a most important part of the probationer's training. It supplies the practical knowledge of procedure, conduct of business and relations between the Bench and Bar that is most essential for a judicial officer. (*ii*) A good sound grounding in the Indian codes is advisable, and should form part of the preliminary course as well as the teaching of the general principles of jurisprudence. An officer should have, when he comes out to India, a sufficient preliminary knowledge of Indian law to enable him to begin actual work at once if necessary. Unless he gains a good theoretical knowledge of Indian law in England, it will be very difficult to acquire it in India where no means of instruction are available. The teaching of Indian languages should be confined to the grammar and text-books. No attempt should be made to teach the language colloquially. It is almost impossible to learn to speak a language properly except in the country where the language is actually spoken. A man who tries to learn to speak an Indian language in England will not be able to get the correct accent, which is a matter of great importance. It is even to be considered whether it is not better to defer any teaching of Indian language till the probationer comes out to India. To learn to speak a language with the correct accent it is necessary that the spoken language should be acquired first before any attempt whatever is made to learn to read or write it. (*iv*) (*a*) and (*b*) These subjects should only be taught provided the other subjects are not considered to fully occupy the probationer's time. They are not in themselves in any way necessary. (*c*) A knowledge of accounts should prove most useful and will form a valuable addition to the syllabus, more specially for those who are selected for the executive service.

16268. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—This question has been dealt with at length under question (64). So far as the legal training necessary for a judicial officer is concerned, I am of opinion that his course of study can best be spent in England. There are no facilities in India for the course of study which is necessary for the probationer, whilst in England there are ample facilities. The necessary practical training derived from attendance at the English law courts could only be obtained in England. The term of probation should be spent at one of the English Universities. Much importance is attached to the social training afforded by a residence at the University.

16269. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should in your opinion be introduced?—This point has been dealt with in the replies to questions (64)—(66).

16270. (61) Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?—So far as the legal syllabus of the departmental examinations is concerned I have no suggestions to offer. The departmental examinations as at present conducted ensure a certain, if limited, acquaintance with the various Acts and Codes. It is difficult to suggest any other system of examination in India. This portion of the officer's service must be spent in the mufassal to enable him to become acquainted with the people. The study necessary to pass the departmental examination will at least ensure that an officer knows where the law on a particular point is to be found.

16271. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' Chambers, or other) and what conditions do you propose?—I am of opinion that the present course of training for officers who are selected for the judicial branch of the Service is inadequate. The duration of probation in England is now limited to one year. The course, so far as the legal syllabus is concerned, is inadequate. At present it is confined to the Indian Penal Code, the Criminal Procedure Code and the Evidence Act. No attempt is made to teach civil law, and no practical training of any kind is given. In India there is no real legal training for the work of a District Judge. An officer has to pass certain departmental examinations. All that is necessary for them is a rudimentary knowledge of certain Acts and Codes. Officers after having had no experience whatever of original civil work are appointed as District Judges, where they have to hear appeals from the decision of Subordinate Judges who are often experienced officers of 20 or 25 years' service, and to deal with insolvency, probate, succession and various miscellaneous matters. At present Judges come to their work entirely ignorant of what they have to do. The course of training which is now proposed for the officers who are selected for the judicial branch is as follows: The duration of probation in England immediately after passing the open competitive examination is to be extended as before 1891 to two years. For these two years the course prescribed in law for the final examination up to 1891 will be re-introduced, with the addition of the Transfer of Property Act, the Specific Relief Act, the Certificate Act, Insolvency Act, the General Clauses Act, Wards and Guardians Act and the Rent Law of the Province to which the probationer is posted. Special attention must be paid to attendance at the law courts and the reporting of cases. The probationers would also read for the Bar and keep their terms and pass all the examinations necessary for a call to the Bar up to, but not necessarily including, the Final. The above course, it is considered, would fully occupy them for these two years of probation. They would then come out to India and, for the first four or five years of service, would be employed in the general line. They would pass the departmental examinations now prescribed, which would give them a certain theoretical knowledge of the various Codes and Acts. They would attend the settlement and survey camp and hold charge of subdivisions. About the fourth year, those who were selected for the judicial branch would be vested with the powers of a Munsif and would try original suits as a Munsif for about one or two years. They would then be vested with the powers of Subordinate Judge and would try original suits as a Subordinate Judge. They might also be allowed to hear a few simple appeals from the decision of Munsifs, and might have the powers of an Assistant Sessions Judge, though not very much importance is attached to this, as their work should be chiefly, if not entirely, original civil work. They would then be sent home at about their seventh or eighth year of service to England on one year's study leave. This year would be spent reading with a selected barrister in Chambers, and taking the final examination for the call to the Bar. As to the conditions of the study leave:—An allowance of £200 in addition to furlough pay is considered to be sufficient. Government would also pay the fee of the barrister in whose Chambers the officer reads, and also would pay the fees necessary for the call to the Bar. The payment of the allowance would be conditional on the call to the Bar. It is not necessary to prescribe any other examination at the end of the year of study leave. Officers of eight years' standing must be trusted to make the best use of the opportunity given them to render themselves more fitted for their work. They would then come out to India and be appointed as District Judges. If no post as District Judge was vacant, they would do once more original and appellate work as Subordinate Judges until a vacancy occurred, and also have the powers of an Assistant Sessions Judge.

16272. (65) Do you recommend any special course of study in law in India for officers selected for the judicial branch?—The answer to this question will be found under question (64). No special course of study in law in India is recommended beyond the passing of the departmental examinations. There are no facilities in India for such study, and the time in India is to be devoted to the practical side of the officer's work.

16273. (66) Do you recommend any special training in subordinate judicial posts for officers selected for the judicial branch? If so, please give details.—The answer to this question will be found under question (64). It is proposed that, after the first four years spent in the general line in charge of a subdivision and attending the settlement camp, officers selected for the judicial side should be vested with the powers of a Munsif and for about two years should devote their time to doing the work of a Munsif. They would then be vested with the powers of a Subordinate Judge and perhaps with the powers of an Assistant Sessions Judge. They would try original civil cases and perhaps a few simple munsifi appeals. They might also try a few cases as Assistant Sessions Judge, though not much importance is attached to this as their energies, for the most part, should be devoted almost entirely to civil original work.

16274. (67) Do you recommend any system for encouraging the higher study of law, analogous to the rules for the encouragement of the study of Oriental languages?—It is very doubtful if any such system as is suggested in this question would be of much practical utility. Most officers would be able to qualify for the award offered, but they would probably have to neglect their work in order to find the necessary time for study. I am not prepared to recommend any such system.

16275. (88) To what extent are the functions of the officers of the executive and judicial branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?—So far as the judicial branch of the Indian Civil Service is concerned, their functions are entirely differentiated from those of the executive branch. The officers of the judicial branch perform judicial functions only. They have no executive functions whatever to perform. No change, therefore, would appear either desirable or necessary.

16276. (121) In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—I am of opinion that it is desirable that civilian Judges of the High Court should be governed by the 55 years rule. At present a civilian Judge in the High Court is allowed to remain until he has reached the age of 60. To earn the full pension of £1,200 to which High Court Judges are entitled after 11½ years' service, a civilian Judge must stay till he is 60, as few civilians get into the High Court till they are 48 or 50. In many cases it is impossible for them to earn the extra pension. The arrangement has also the effect of making Judges stay on with the view of earning the full pension of £1,200, and the result is a great block in promotion. I therefore suggest that to remedy this, civilian Judges must retire at the age of 55 and that they may earn the extra pension after 5½ years' service.

Written answers relating to the Provincial Civil Service.

16277. (1) Please refer to Government of India Resolution No. 1046-58, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The rules now in force for the admission of candidates for the Provincial Judicial Service differ slightly from the rules prescribed in the Government of India Resolution referred to in this question. The rules prescribed in the Resolution referred to are generally suitable, and I do not propose to alter them in any respect.

16278. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—A copy of the rules is annexed. The rules are generally suitable. The following modifications are proposed:—At present candidates for the judicial branch of the Provincial Civil Service after passing the B. L. examination have to practise for three years as a pleader, or, in the case of certain persons, such as vakils of the High Court, for two years. They then apply for enrolment as candidates for the Service to the High Court. The High Court keeps a list of the candidates so enrolled, and as acting vacancies occur, one of these candidates is nominated for the vacancy by the High Court and appointed by the local Government (*see* page 7, Act XII, 1887). The highest age for enrolment has been fixed at 27 and for first appointment at 29. Any candidate who has not received his first appointment before he has reached the age of 29 is struck off the list. What may be termed the officiating period lasts generally two or three years, at the end of which the candidate, if his work has been satisfactory, is confirmed. In a very large number of cases candidates are not actually confirmed till they have reached the age of 31 or 32. The disadvantage of this present age-limit is that officers cannot earn their full pension and cannot complete their full 25 years' service without being granted extension. An officer who is confirmed at the age of 32 has $\frac{1}{10}$th of his pension deducted from each year if his age exceeds 30 at the time of confirmation. Even when they are allowed to count the officiating period actually spent in officiating posts for pension, it is still not possible in some cases to earn the full pension without an extension of service, and if they have been confirmed after 30, they cannot always earn the full pension. This in itself is a grave disadvantage. Another result of the present system is that as men come into the Service late they cannot rise to the rank of Subordinate Judge till late in life when they are past their prime and their chance of gaining a seat on the High Court Bench or being fit for District Judgeship is considerably lessened. Government loses some of the best years of their life when they are young and energetic. It is moreover a hardship to the officers themselves, for they practically can begin to earn nothing till they reach the age of 30 or 32. It is probably advisable to dispense with most of the three years' practice at the Bar which is not believed to be of much practical use, to provide that candidates must be enrolled before the age of 24 and must get their first appointment before they reach the age of 25, which is also the age-limit fixed for the executive branch of the Provincial Civil Service. They would be considered to be on probation from the time of their first acting appointment, and when not acting as a Munsif, would be attached to the court of some District Judge. There they could attend court and acquire some knowledge of office management and assist the Government pleaders in Government cases. During this time they would be on probation and would get a fixed allowance instead of, as now, only being paid when actually officiating. I attach no importance to the preliminary three years' practice at the Bar now required. Junior pleaders of this standing get little or no practice. They spend most of their time sitting in the Bar Library or perhaps in court watching the proceedings, and from want of practice they forget the theoretical knowledge which they had previously acquired. Senior pleaders do not, as a rule, engage them to help in their cases. All that they gain is a knowledge of procedure. This, however, should not require three years to acquire. It would be acquired probably in six months' time, and moreover they could continue to attend court once they had been appointed on probation when they are not acting as Munsifs and could then assist the Government pleaders in Government cases. The idea that a long practice at the Bar is essential for the Judicial officer is one peculiar to England and the countries which draw their system of jurisprudence from England. It is not the system in the great European countries like France, Italy, Germany, Spain and Austria. Whether practice at the Bar is a useful training for the future Judge is open to question. The training of an Advocate tends to make him look at one side of the question only. The training of opinion that the present course of training for officers who are selected for the judicial branch of the Service is inadequate. The duration of probation in England is now limited to one year. The course, so far as the legal syllabus is concerned, is inadequate. At present it is confined to the Indian Penal Code, the Criminal Procedure Code and the Evidence Act. No attempt is made to teach civil law, and no practical training of any kind is given. In India there is no real legal training for the work of a District Judge. An officer has to pass certain departmental examinations. All that is necessary for them is a rudimentary knowledge of certain Acts and Codes. Officers after having had no experience whatever of original civil work are appointed as District Judges, where they have to hear appeals from the decision of Subordinate Judges who are often experienced officers of 20 or 25 years' service, and to deal with insolvency, probate, succession and various miscellaneous matters. At present Judges come to their work entirely ignorant of what they have to do. The course of training which is now proposed for the officers who are selected for the judicial branch is as follows: The duration of probation in England, immediately after passing the open competitive examination is to be extended as before 1891 to two years. For these two years the course prescribed in law for the final examination up to 1891 will be re-introduced, with the addition of the Transfer of Property Act, the Specific Relief Act, the Certificate Act, Insolvency Act, the General Clauses Act, Wards and Guardians Act and the Rent Law of the Province to which the probationer is posted. Special attention must be paid to attendance at the law courts and the reporting of cases. The probationers would also read for the Bar and keep their terms and pass all the examinations necessary for a call to the Bar up to, but not necessarily including, the Final. The above course, it is considered, would fully occupy them for these two years of probation. They would then come out to India and, for the first four or five years of service, would be employed in the general line. They would pass the departmental examinations now prescribed, which would give them a certain theoretical knowledge of the various Codes and Acts. They would attend the settlement and survey camp and hold charge of subdivisions. About the fourth year, those who were selected for the judicial branch would be vested with the powers of a Munsif and would try original suits as a Munsif for about one or two years. They would then be vested with the powers of Subordinate Judge and would try original suits as a Subordinate Judge. They might also be allowed to hear a few simple appeals from the decision of Munsifs, and might have the powers of an Assistant Sessions Judge, though not very much importance is attached to this, as their work should be chiefly, if not entirely, original civil work. They would then be sent home at about their seventh or eighth year of service to England on one year's study leave. This year would be spent reading with a selected barrister in Chambers, and taking the final examination for the call to the Bar. As to the conditions of the study leave:—An allowance of £200 in addition to furlough pay is considered to be sufficient. Government would also pay the fee of the barrister in whose Chambers the officer reads, and also would pay the fees necessary for the call to the Bar. The payment of the allowance would be conditional on the call to the Bar. It is not necessary to prescribe any other examination at the end of the year of study leave. Officers of eight years' standing must be trusted to make the best use of the opportunity given them to render themselves more fitted for their work. They would then come out to India and be appointed as District Judges. If no post as District Judge was vacant, they would do once more original and appellate work as Subordinate Judges until a vacancy occurred, and also have the powers of an Assistant Sessions Judge.

16272. (65) Do you recommend any special course of study in law in India for officers selected for the judicial branch?—The answer to this question will be found under question (64). No special course of study in law in India is recommended beyond the passing of the departmental examinations. There are no facilities in India for such study, and the time in India is to be devoted to the practical side of the officer's work.

16273. (66) Do you recommend any special training in subordinate judicial posts for officers selected for the judicial branch? If so, please give details.—The answer to this question will be found under question (64). It is proposed that, after the first four years spent in the general line in charge of a subdivision and attending the settlement camp, officers selected for the judicial side should be vested with the powers of a Munsif and for about two years should devote their time to doing the work of a Munsif. They would then be vested with the powers of a Subordinate Judge and perhaps with the powers of an Assistant Sessions Judge. They would try original civil cases and perhaps a few simple munsifi appeals. They might also try a few cases as Assistant Sessions Judge, though not much importance is attached to this as their energies, for the most part, should be devoted almost entirely to civil original work.

16274. (67) Do you recommend any system for encouraging the higher study of law, analogous to the rules for the encouragement of the study of Oriental languages?—It is very doubtful if any such system as is suggested in this question would be of much practical utility. Most officers would be able to qualify for the award offered, but they would probably have to neglect their work in order to find the necessary time for study. I am not prepared to recommend any such system.

16275. (88) To what extent are the functions of the officers of the executive and judicial branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?—So far as the judicial branch of the Indian Civil Service is concerned, their functions are entirely differentiated from those of the executive branch. The officers of the judicial branch perform judicial functions only. They have no executive functions whatever to perform. No change, therefore, would appear either desirable or necessary.

16276. (121) In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—I am of opinion that it is desirable that civilian Judges of the High Court should be governed by the 55 years rule. At present a civilian Judge in the High Court is allowed to remain until he has reached the age of 60. To earn the full pension of £1,200 to which High Court Judges are entitled after 11½ years' service, a civilian Judge must stay till he is 60, as few civilians get into the High Court till they are 48 or 50. In many cases it is impossible for them to earn the extra pension. The arrangement has also the effect of making Judges stay on with the view of earning the full pension of £1,200, and the result is a great block in promotion. I therefore suggest that to remedy this, civilian Judges must retire at the age of 55 and that they may earn the extra pension after 5½ years' service.

Written answers relating to the Provincial Civil Service.

16277. (1) Please refer to Government of India Resolution No. 1046-58, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The rules now in force for the admission of candidates for the Provincial Judicial Service differ slightly from the rules prescribed in the Government of India Resolution referred to in this question. The rules prescribed in the Resolution referred to are generally suitable, and I do not propose to alter them in any respect.

16278. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—A copy of the rules is annexed. The rules are generally suitable. The following modifications are proposed:—At present candidates for the judicial branch of the Provincial Civil Service after passing the B. L. examination have to practise for three years as a pleader, or, in the case of certain persons, such as vakils of the High Court, for two years. They then apply for enrolment as candidates for the Service to the High Court. The High Court keeps a list of the candidates so enrolled, and as acting vacancies occur, one of these candidates is nominated for the vacancy by the High Court and appointed by the local Government (*see* page 7, Act XII, 1887). The highest age for enrolment has been fixed at 27 and for first appointment at 29. Any candidate who has not received his first appointment before he has reached the age of 29 is struck off the list. What may be termed the officiating period lasts generally two or three years, at the end of which the candidate, if his work has been satisfactory, is confirmed. In a very large number of cases candidates are not actually confirmed till they have reached the age of 31 or 32. The disadvantage of this present age-limit is that officers cannot earn their full pension and cannot complete their full 25 years' service without being granted extension. An officer who is confirmed at the age of 32 has $\frac{1}{40}$th of his pension deducted from each year if his age exceeds 30 at the time of confirmation. Even when they are allowed to count the officiating period actually spent in officiating posts for pension, it is still not possible in some cases to earn the full pension without an extension of service, and if they have been confirmed after 30, they cannot always earn the full pension. This in itself is a grave disadvantage. Another result of the present system is that as men come into the Service late they cannot rise to the rank of Subordinate Judge till late in life when they are past their prime and their chance of gaining a seat on the High Court Bench or being fit for District Judgeship is considerably lessened. Government loses some of the best years of their life when they are young and energetic. It is moreover a hardship to the officers themselves, for they practically can begin to earn nothing till they reach the age of 30 or 32. It is probably advisable to dispense with most of the three years' practice at the Bar which is not believed to be of much practical use, to provide that candidates must be enrolled before the age of 24 and must get their first appointment before they reach the age of 25, which is also the age-limit fixed for the executive branch of the Provincial Civil Service. They would be considered to be on probation from the time of their first acting appointment, and when not acting as a Munsif, would be attached to the court of some District Judge. There they could attend court and acquire some knowledge of office management and assist the Government pleaders in Government cases. During this time they would be on probation and would get a fixed allowance instead of, as now, only being paid when actually officiating. I attach no importance to the preliminary three years' practice at the Bar now required. Junior pleaders of this standing get little or no practice. They spend most of their time sitting in the Bar Library or perhaps in court watching the proceedings, and from want of practice they forget the theoretical knowledge which they had previously acquired. Senior pleaders do not, as a rule, engage them to help in their cases. All that they gain is a knowledge of procedure. This, however, should not require three years to acquire. It would be acquired probably in six months' time, and moreover they could continue to attend court once they had been appointed on probation when they are not acting as Munsifs and could then assist the Government pleaders in Government cases. The idea that a long practice at the Bar is essential for the Judicial officer is one peculiar to England and the countries which draw their system of jurisprudence from England. It is not the system in the great European countries like France, Italy, Germany, Spain and Austria. Whether practice at the Bar is a useful training for the future Judge is open to question. The training of an Advocate tends to make him look at one side of the question only. The training of a Judge should be to look at both sides impartially. The advantages of the proposed alteration in the age-limit are these:—(i) Officers could earn their pensions sooner and without it being necessary to grant some of them extensions for the purpose. (ii) They would come into the Service younger. They would become Subordinate Judges at a far earlier age, when still in their prime. They would then have a far better chance of being found fit for a District Judgeship or for a seat on the High Court Bench. (iii) They would get some training in office work and there would be far greater opportunities to judge of their fitness for the Judicial Service. (iv) They would begin to earn a fixed income sooner. It must be remembered that nearly all those young men are married and have families before they have passed their B. L. even. It is a great hardship for them to be obliged to wait till they are 30 or 32 before they get any regular income. I propose in rule 2 (3) that the word "Moral" should be omitted. The rule would then run: "He must be of good character." The reason for this change is obvious. A candidate may be of good moral character and yet he may be for political or other reasons a totally unfit candidate for Government service. The proposed alteration of the rule would remedy the defect. I further suggest that a rule should be inserted that in making nomination the High Court should bear in mind that due consideration should be paid to the claims of the various sections of the community to be represented. It is desirable that, as far as possible when consistent with efficiency, all the different sections of the community should be represented. It is undesirable that the Service should become the monopoly of one particular section.

NOTIFICATION No. 1784A., dated the 10th March 1894.

RULES FOR ADMISSION INTO THE JUDICIAL BRANCH OF THE PROVINCIAL CIVIL SERVICE.

DEFINITION.—"The Judicial Branch of the Provincial Civil Service" includes Small Cause Court Judgeships outside the Presidency town, Sub-Judgeships, Munsifships, and any other appointments which the Lieutenant-Governor may from time to time specially declare to be included therein.

IN accordance with section 7 of Act XII of 1887, nominations of Munsiffs will be made by the High Court under the following rules, which have been framed by the Lieutenant-Governor in consultation with the High Court, and sanctioned by the Governor-General in Council.

2. A candidate shall present an application in writing to the Registrar of the High Court, Appellate Side. This shall ordinarily be accompanied by the following certificates, viz:—

(1) that the candidate's age does not exceed 27 years;

(2) that he has obtained the degree of B. L. or has passed the Senior Pleadership or some analogous examination, or is a Barrister-at-law, or Member of the Faculty of Advocates in Scotland, or is an Attorney on the rolls of the High Court;

(3) that he is of good moral character and has received a liberal education;

(4) that he has practised as a Pleader or Barrister or Member of the Faculty of Advocates in Scotland, or Attorney for not less than three years, except the case of Vakils of the High Court, for whom the period of qualifying practice will be two years. The High Court may, for special reasons, dispense with a portion (not exceeding two years) of the said period of three years (*vide* Notification No. 1440A.—D., dated the 14th June 1907);

(5) that he is in good health and physically fit for service. The certificate of health must be signed by a Presidency Surgeon or Civil Surgeon.

3. It shall be within the discretion of the High Court to require any such additional proof on any of the above points as it may think fit.

4. If the qualifications of the candidate are satisfactory to the Court, his name shall be entered in a register as *eligible* for admission to the Subordinate Judicial Service, but priority of entry in the register shall confer no right of priority of appointment. A candidate's name shall be removed from the register in the event of failing to obtain a gazetted appointment, under section 7 of Act XII of 1887, before attaining the age of 29 years.

5. At the time a registered candidate is appointed permanently to the service, he shall ordinarily be required to submit a fresh health certificate signed by a Presidency Surgeon or a Civil Surgeon.

APPENDIX.

The following rules, which the Government of India and the Secretary of State have determined shall be applied in all branches of the Provincial Civil Service, are published for the information of candidates for admission to the Judicial Branch:—

1. Europeans who do not satisfy the definition Native of India contained in section 6, Statute 33 Victoria, Chapter 3, are not eligible for appointment to the Provincial Service without the previous sanction in each case of the Government of India. With such sanction they may be appointed, if they are qualified under the conditions mentioned in rule 2 of the above rules.

2. The subjects of Native Princes in alliance with Her Mejesty the Queen-Empress of India are eligible for appointment to the Provincial Service, if they are qualified under the conditions mentioned in rule 2 of the above rules.

3. All candidates for admission to the judicial branch must furnish satisfactory evidence throough knowledge of at least one of the vernacular languages of the province. The High Court will require all candidates who have not already furnished such evidence at some recognised examination, to pass a special examination, in either Bengali, Hindi, Urdu or Uriya before appointment. The object of the examination will be to test the candidate's knowledge of the language and ability to write

and read the written character with facility. The examination will include—

(i) translation into English of proceedings, petitions, reports, etc., written in manuscript, and

(ii) translation from English into the vernacular selected.

4. Every person appointed to the judicial branch shall be subject to a period of probation or training during which time his appointment will be probationary only, unless in special cases the High Court declares such probation or training to be unnecessary.

5. Promotion to grades below that on Rs. 600 a month will ordinarily be given according to seniority, subject to fitness and approved conduct. But the Lieutenant-Governor reserves to himself the right to make promotion to the senior grades of the Provincial Service by special selection for merit without regard to seniority, and hereby declares that seniority alone shall not give a claim to appointment to the grade on Rs. 600 or higher grades.

6. No member of the judicial branch shall be dismissed otherwise than on the result of a judicial or formal departmental enquiry.

16279. (3) Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to those questions, and state whether the information is correct for your Province. If not, what alterations are required?—The statement is correct.

16280. (4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—There has been for the last 50 years at least only one system of recruitment for the Provincial Judicial Service. The High Court has always nominated and the Local Government appointed the officers of this Service. Appointments are made at present under Act XII of 1887, the Civil Court Act. The method of recruitment is described fully in the answer to question (6). The numbers recruited yearly for the last 20 years are as follows:—

Statement showing the number of officers recruited in the Judicial Branch of the Provincial Civil Service during the last 20 years.

[The Judicial Civil Service was reorganized during the year 1892.]

1892	... 68	1902	... 22
1893	... 15	1903	... 23
1894	... 16	1904	... 18
1895	... 7	1905	... 29
1896	... 14	1906	... 15
1897	... 10	1907	... 26
1898	... 8	1908	... 17
1899	... 17	1909	... 16
1900	... 26	1910	... 18
1901	... 22	1911	... 18

All the vacancies which have occurred during 1912 have not yet been filled up.

16281. (5) Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year?—There are no natural-born subjects of His Majesty other than "Natives of India" in the Provincial Judicial Service.

16282. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—Only one system of recruitment for the Provincial Judicial Service has been in force for the last 50 years at least. The Provincial Judicial Service is recruited from the practising members of the Bar in the following manner: The High Court keeps a list of candidates for the office of Munsif. These candidates must possess certain qualifications as to age and education which are set forth fully in the copy of the rules for admission to the Judicial Service which is annexed to this question. These rules have been made by the local Government in consultation with the High Court under section 7, Act XII of 1887. When a vacancy, either officiating or permanent, occurs, the High Court nominates one of these persons and the Local Government appoints him. He acts so long as the vacancy lasts. When the officiating appointment comes to an end, he reverts to his practice, if any, at the Bar until he gets another officiating appointment. This continues till he is finally absorbed into the permanent staff as permanent vacancies occur, if he is reported on as fit. The Government of India has also reserved to itself the right to make certain nominations to the higher posts direct. It would not appear that the power has ever been exercised. This system is nomination. It has not been suggested that any other method should be employed. The system has worked well, and it is not easy to suggest a better one to take its place. A good idea of the intellectual capacity of the candidates can be gained from considering the University degree they have taken. All the candidates who are now enlisted are B. A. and B. L. I do not propose any radical alteration in this system. Certain modifications regarding age-limit and method of training are suggested. These have been dealt with at length in question (2).

16283. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—There are no non-residents of the province employed in the Provincial Civil Service, judicial branch. Rule V of the Government of India's rules referred to in question (1) provides that admission to the Service should be confined usually to natives of this province or persons who have definitely settled in it. In the case of persons who are not natives of this province at least three years' residence is required. So long as suitable candidates can be found in this province, it is advisable to recruit from natives of the province, and only when suitable candidates cannot be found in the province, should outsiders be recruited. That contingency is not likely to arise in Bengal.

16284. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It cannot be said that all castes and creeds are duly represented. Out of a Service of 332 there are only 9 Muhammadans, although the Muhammadans form more than half the population. Neither the Buddhist nor the Christian religions have any representative in this Service. The annexed table will show that the Service is practically a monopoly of the three castes, Brahmans, Kayasthas and Vaidyas. Whilst it is desirable that all castes and communities should be duly represented, efficiency must be still the chief test in making an appointment. The High Court in making its nomination should be asked to bear in mind the claims of the various communities. At the same time it must be borne in mind that the litigants who pay for having their suits decided have a right to demand that they shall be decided by the best agency available. Other qualifications being equal, preference must be given as far as possible to a member of one of the backward or unrepresented communities.

16285. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—There is at present no system, properly speaking, of training. The present system is that the High Court keeps a list of candidates for the Provincial Civil Service. These candidates must have certain educational qualifications and have practised three years as a pleader, or in case of certain persons, for two years, and be below the age of 29 before they get their first appointment. As temporary vacancies occur, these candidates are sent to officiate in them. When they are not actually officiating, they are unemployed and receive no pay. If their work is satisfactory, they are confirmed as permanent vacancies occur. The disadvantage of the present system is that during a greater portion of the officiating period the candidates remain idle. They have no practice at the Bar, for no one will employ pleaders who are from time to time going away from the court to take up officiating appointments. They get no training in office work and their official superiors have very little opportunity of observing their capabilities. The alterations recommended have already been described in answer to question (2.)

16286. (10) Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—There is no departmental examination for the officers of the Judicial branch of the Provincial Civil Service.

16287. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No change is necessary in the classes of offices and appointments at present included in the Provincial Civil Service. The following offices are at present included in the Provincial Judicial Service:—The office of Munsif and the office of Subordinate Judge. A member of the Judicial Service can also become a High Court Judge, a Judge of the Presidency Small Cause Court, or a District Judge. I do not propose that any of these appointments last named should be specially reserved for the members of the Provincial Service. It is preferable that they should be considered as appointments to which men of the Service who are duly qualified may be promoted. It is not therefore proposed to depart from the present system which, while providing for the legitimate aspirations of the Service, ensures these high posts being filled by fit and suitable men.

16288. (12) What is the system on which the strength of the judicial branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The strength of the Service is based on actual requirements. No alteration is necessary or feasible.

16289. (13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is no leave reserve. Leave vacancies are filled up from the list of enrolled candidates.

16290. (14) Is there any reserve for officers under training, and is it adequate?—There is no reserve for officers under training.

16291. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—It cannot be said that there is any annual rate of recruitment for the Judicial Provincial Service. The number of officers recruited depends entirely on the vacancies that may occur, and therefore must vary from year to year. These vacancies depend either on death or retirement, or the creation of further posts. In such circumstances it must be difficult to secure an even flow of promotion. The number of deaths must vary year by year, though no doubt approximating to a certain average. The same remarks would apply to the vacancies due to retirement. Where promotion depends on uncertainties such as death or retirement, the flow of promotion cannot be even. Even promotion can only be secured by introducing a time-scale system.

16292. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Promotion to all officers above the rank of Munsif are by selection only. No change in this practice would appear necessary. It ensures that the highest posts are filled by the best men and is an incentive to good work and efficiency. The post of Subordinate Judge must be looked on as one requiring special qualifications, and therefore promotion to it must be by selection. This argument would of course apply still more strongly in the case of the listed posts open to the Service.

16293. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Yes. The existing system promotes the interests both of the individual officer and the Government. The present system is that all promotions to the offices of Subordinate Judges or to any of the listed posts is by selection. No fault can be found with this system. Wherever there are posts which require special qualifications, it is inevitable that the promotions must be by selection and selection only. Such a system is in the interests both of the administration and the Service itself. It provides that the administration gets the best men for the important posts, it places a premium on good work and efficiency, and so works in the interests of the Service itself. The power to remove inefficient officers by compulsory retirement would also be in the interests of the Service itself. If an officer is inefficient, he throws so much extra work on his brother officers. The more efficient as a whole that a Service becomes the greater the chance that individual members will be promoted to special posts outside the posts which belong to the Service of right. A Service is often condemned for the fault of one or two members of it, and the inefficiency of one or two members reflects most unfavourably on the Service as a whole.

16294. (18) To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The judicial branch of the Provincial Civil Service performs only judicial functions. No change is desirable.

16295. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Yes. The existing arrangement is satisfactory and the system followed in making the appointments is suitable. The present system is that certain posts are considered as open to the members of the Provincial Judicial Service, provided there are fit men among them to fill them. These posts are not reserved for the members of the Service and need not necessarily be filled by them. Appointment to these posts is by selection. No change in this method of appointment is advocated. It has always been a principle of Government that promotions to high posts requiring high qualification and ability must be by selection and selection only. By no other means can it be insured that these high posts are filled by the proper men. To provide that a certain number of these posts must be filled by members of the Judicial Provincial Service would be to run the risk of being obliged to appoint unfit men. It is for this reason that it is considered necessary, in filling them, that Government should be as far as possible unfettered in their choice and free to appoint the most suitable men.

16296. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No inferior listed posts have been merged into the Provincial Judicial Service.

16297. (21) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—The present designation of the Provincial Civil Service is satisfactory.

16298. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes. It is the only reasonable principle which can be adopted.

16299. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The rates of pay and the numbers of posts in each of the main grades of the Provincial Civil Service on the 1st April of each of the years 1890, 1900 and 1912 were as follows:—

1st April 1890.

Subordinate Judges.—1st grade 7; 2nd 15; 3rd 27 + 4 (temporary posts).

Munsifs.—1st grade 75; 2nd 70; 3rd 65; 4th 25.

1st April 1900.

Subordinate Judges.—1st grade 7; 2nd 16; 3rd 30 + 4 (temporary).

Munsifs.—1st grade 75; 2nd 75; 3rd 76; 4th 71 + 3 (temporary).

1st April 1912.

Subordinate Judges.—1st grade 6; 2nd 12; 3rd 25.

Munsifs.—1st grade 61; 2nd 70; 3rd 66; 4th 33.

The pay in all these years was the same:—

Subordinate Judges.—1st grade 1,000; 2nd 800; 3rd 600.

Munsifs.—1st grade 400; 2nd 300; 3rd 250; 4th 200.

These figures represent the number of officers in the Provincial Judicial Service in Bengal as constituted on the date given. They are somewhat misleading owing to the territorial changes which took place in 1905 and again in 1912. There is at the present moment in Bengal a grade of Munsifs on Rs. 500. This grade was formed in 1908 in Eastern Bengal and Assam, in order to improve the prospects of the officers who were left in that province. The grade has for the present been continued in Bengal.

The actual posts sanctioned on 1st October 1912 are as follows:—

Subordinate Judges.—1st grade 6; 2nd 12; 3rd 24 + 2 (temporary).

Munsifs.—1st grade 12; 2nd 61; 3rd 70; 4th 66; 5th 36.

There was a general reorganisation of the Service in 1892, 1902, 1905 and 1912. When the province of Bengal was split up into two in 1905, the existing posts were distributed between the two provinces. The same process may be said to have taken place in 1912, when Eastern Bengal was re-united to Bengal, but Bihar and Orissa were formed into a separate Province. Bengal, however, acquired by the redistribution the whole of the grade of Rs. 500 for Munsifs which had been created in the sister province of Eastern Bengal and Assam. The future of this grade and the numbers to be included in it are under discussion now and will be referred to later. In 1902 four additional Subordinate Judgeships were created—one in the first grade on Rs. 1,000, one in the second grade on Rs. 800, and two in the third grade on Rs. 600. The number of the Munsifs was not altered, but important changes took place in their grading which largely improved their prospects. This regrading was as follows:—

	Rs.			
1st grade ...	400	altered from	75	to 92
2nd „ ...	300	„ „	75	„ 89
3rd „ ...	250	„ „	76	„ 84
4th „ ...	200	„ „	72	„ 30
			298	298

It will be seen that there is a very considerable increase in the higher grades with a corresponding decrease in the lower grades. At the present moment the question of the reorganization of the Service is once more before Government. Owing to the last redistribution of territory on 1st April 1912 the prospect of the officers allotted to Bengal is not so favourable as that of the officers allotted to Bihar and Orissa owing to the fact that the actual requirements of the working have necessitated more Subordinate Judgeships in proportion to the number of Munsifs being allotted to Bihar.

16300. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay and grading are adequate to secure the desired academical qualifications in the officers appointed. The officers who are now being recruited are men who have taken as a rule a good degree at the University either in Arts or in Law and in many cases they have taken honours. A list of the officers recruited during the last five years accompanies this answer and will show clearly the qualifications of the officers now being recruited. At the same time considerable dissatisfaction has grown up amongst the members of the Provincial Judicial Service of Bengal since the latest territorial changes have seriously impaired their prospects, and unless some remedy is devised this feeling will have its effect on the quality of recruits in future years.

1907.

No.	NAME.	Age when first appointed.	Age when confirmed in the Service.	Educational qualifications.
		Y. M. D.	Y. M. D.	
1	Babu Nishi Kanta Guha, M.A., B.L.	28 5 0	31 0 0	M.A. in the 3rd Division and B.L. in the 2nd Division.
2	„ Pramatha Nath Bhattacharji, M.A., B.L.	28 6 0	34 1 15	M.A. in the 2nd Division and B.L. in the 2nd Division.
3	„ Amar Nath Chatterji, B.L.	28 10 29	31 1 6	B.L. in the 2nd Division.
4	„ Gopal Chandra Bose, M.A., B.L.	28 10 18	30 9 15	M.A. in the 3rd Division and B.L. in the 2nd Division.
5	„ Kumud Kanta Sen, M.A., B.L.	28 8 18	31 6 15	M.A in the 2nd Division and B.L. in the 2nd Division. Stood fourth in order of merit in the B.L. examination.
6	„ Srish Kumar Som, M.A., B.L.	28 10 18	30 10 0	M.A. in the 2nd Division and B.L. in the 2nd Division.
7	„ Hem Chandra Basu, M.A., B.L.	28 10 27	30 11 15	M.A. in the 2nd Division, having stood fifth in order of merit; and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
8	„ Jadu Nath Mazumdar, M.A., B.L.	28 9 15	30 11 0	M.A. in the 1st Division, having stood first in order of merit; and B.L. in the 2nd Division, having stood sixth in order of merit.
9	Mr. Saiyad Hasan, Bar.-at-Law	28 11 25	31 1 0	He is a Barrister-at-Law.
10	Babu Sirish Chandra Ray, M.A., B.L.	28 5 16	30 6 22	M.A. in the 1st Division and B.L. in the 2nd Division.
11	„ Ram Chandra Ghose, M.A., B.L.	28 3 25	30 6 0	M.A. in the 2nd Division and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
12	„ Kiran Chandra Mitra, M.A., B.L.	28 3 25	30 6 0	M.A. in the 2nd Division and B.L. in the 2nd Division.
13	„ Khagendra Nath Dutta, M.A., B.L.	27 4 0	29 4 0	M.A. in the 3rd Division and B.L. in the 2nd Division, having stood tenth in order of merit.
14	„ Lalit Mohan Basu, B.L. ...	28 5 4	30 5 0	B.L. in the 1st Division, having stood second in order of merit. Passed the Survey examination for Pleaders.
15	„ Shib Charan Sil, B.L. ...	28 1 17	30 1 17	B.L. in the 2nd Division. Obtained Gold Medal at the Tagore Law Examination.

1907—*continued.*

No.	NAME.	Age when first appointed.	Age when confirmed in the Service.	Educational qualifications.
		Y. M. D	Y. M. D.	
16	Babu Phanindra Lal Sen, M.A., B.L.	26 6 25	28 6 3	B.A. with first class Honours, standing fifth in the order of merit; M.A. in the 2nd Division, standing seventh in order of merit; and B.L. in the 2nd Division, standing tenth in order of merit. Passed the Survey examination for Pleaders.
17	" Hari Jiban Banerji, M.A., B.L.	27 8 28	29 10 0	M.A. in the 2nd Division, having stood fifth in order of merit; and B.L. in the 2nd Division.
18	" Ashutosh Ray, M.A., B.L.	28 6 5	30 7 0	M.A. in the 3rd Division and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
19	" Kunja Behari Ghose, M.A., B.L.	27 4 5	29 5 27	B.L in the 1st Division, having stood 1st in order of merit; M.A. in the 3rd Division; and B.A. with double second class Honours.
20	" Kamala Prasad, B.L. ...	28 0 19	30 2 0	B.L. in the 2nd Division.
21	" Harihar Charan, B.A., LL.B.	27 8 4	29 5 10	LL B. in the 2nd Division, having stood second in order of merit.
22	" Ram Dulal Deb, M.A., B.L.	29 0 4	30 8 11	M.A. in the 2nd Division and B.L. in the 2nd Division.
23	" Gour Krishna Bose, B.L.	28 10 8	30 4 19	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
24	" Dinesh Chandra Chatterji, M.A., B.L.	28 10 14	30 5 0	B.A. with double first class Honours; M.A. in the 2nd Division; and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
25	" Surendra Nath Mukerji, M.A., B.L.	28 6 15	30 2 7	M.A. in the 3rd Division and B.L. in the 2nd Division.

1908.

		Y. M. D.	Y. M. D.	
1	Babu Narendra Nath Chakrabartti, B.L.	28 9 3	30 7 8	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
2	" Jatindra Nath Mukherji, M.A., B.L.	28 4 17	30 2 8	B.A. with double first class Honours; M.A. in the 2nd Division, having stood second in order of merit; and B.L. in the 3rd Division.
3	" Sushil Chandra Mitra, M.A., B.L.	28 11 17	30 11 8	M.A. in the 3rd Division and B.L. in the 2nd Division.
4	" Gopal Chandra Biswas, M.A., B.L.	26 2 17	28 2 8	B.A. with double second class Honours; M.A. in the 2nd Division; and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
5	Maulvi Lutf-ur Rahman, B.L.	27 9 17	29 9 12	B.L. in the 2nd Division.
6	Babu Gopeshwar Banerji, M.A., B.L.	28 3 17	30 6 2	M.A. in the 3rd Division and B.L. in the 1st Division, having stood third in order of merit.
7	" Jogesh Chandra Sen Gupta, M.A., B.L.	28 11 9	31 0 0	M.A. in the 2nd Division and B.L. in the 2nd Division, having stood seventh in order of merit.
8	Lala Tarak Nath, B.L. ...	28 11 15	30 11 20	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.

1907—*continued.*

No.	NAME.	Age when first appointed.	Age when confirmed in the Service.	Educational qualifications.
		Y. M. D	Y. M. D.	
16	Babu Phanindra Lal Sen, M.A., B.L.	26 6 25	28 6 3	B.A. with first class Honours, standing fifth in the order of merit; M.A. in the 2nd Division, standing seventh in order of merit; and B.L. in the 2nd Division, standing tenth in order of merit. Passed the Survey examination for Pleaders.
17	" Hari Jiban Banerji, M.A., B.L.	27 8 28	29 10 0	M.A. in the 2nd Division, having stood fifth in order of merit; and B.L. in the 2nd Division.
18	" Ashutosh Ray, M.A., B.L.	28 6 5	30 7 0	M.A. in the 3rd Division and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
19	" Kunja Behari Ghose, M.A., B.L.	27 4 5	29 5 27	B.L in the 1st Division, having stood 1st in order of merit; M.A. in the 3rd Division; and B.A. with double second class Honours.
20	" Kamala Prasad, B.L. ...	28 0 19	30 2 0	B.L. in the 2nd Division.
21	" Harihar Charan, B.A., LL.B.	27 8 4	29 5 10	LL.B. in the 2nd Division, having stood second in order of merit.
22	" Ram Dulal Deb, M.A., B.L.	29 0 4	30 8 11	M.A. in the 2nd Division and B.L. in the 2nd Division.
23	" Gour Krishna Bose, B.L.	28 10 8	30 4 19	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
24	" Dinesh Chandra Chatterji, M.A., B.L.	28 10 14	30 5 0	B.A. with double first class Honours; M.A. in the 2nd Division; and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
25	" Surendra Nath Mukerji, M.A., B.L.	28 6 15	30 2 7	M.A. in the 3rd Division and B.L. in the 2nd Division.

1908.

		Y. M. D.	Y. M. D.	
1	Babu Narendra Nath Chakrabartti, B.L.	28 9 3	30 7 8	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
2	" Jatindra Nath Mukherji, M.A., B.L.	28 4 17	30 2 8	B.A. with double first class Honours; M.A. in the 2nd Division, having stood second in order of merit; and B.L. in the 3rd Division.
3	" Sushil Chandra Mitra, M.A., B.L.	28 11 17	30 11 8	M.A. in the 3rd Division and B.L. in the 2nd Division.
4	" Gopal Chandra Biswas, M.A., B.L.	26 2 17	28 2 8	B.A. with double second class Honours; M.A. in the 2nd Division; and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
5	Maulvi Lutf-ur Rahman, B.L.	27 9 17	29 9 12	B.L. in the 2nd Division.
6	Babu Gopeshwar Banerji, M.A., B.L.	28 3 17	30 6 2	M.A. in the 3rd Division and B.L. in the 1st Division, having stood third in order of merit.
7	" Jogesh Chandra Sen Gupta, M.A., B.L.	28 11 9	31 0 0	M.A. in the 2nd Division and B.L. in the 2nd Division, having stood seventh in order of merit.
8	Lala Tarak Nath, B.L. ...	28 11 15	30 11 20	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.

1908—*concluded.*

No.	NAME.	Age when first appointed.	Age when confirmed in the Service.	Educational qualifications.
		Y. M. D.	Y. M. D.	
9	Babu Ras Behari Mukherji, M.A., B.L.	29 10 19	30 10 24	B.A. with double second-class Honours; M.A. in the 2nd Division, standing third in order of merit; and B.L. in the 2nd Division.
10	„ Bhupendra Nath Mukherji, M.A., B.L.	28 9 3	31 9 15	B.A. with second-class Honours; M.A. in the 3rd Division; and B.L in the 2nd Division. Passed the Survey examination for Pleaders.
11	„ Rajani Kumar Ghose, M.A., B.L.	28 9 3	29 8 15	B.L. with second-class Honours; M.A. in the 3rd Division; and B.L. in the 2nd Division.
12	Maulvi Hasibuddin Ahmad, B.L.	26 10 13	28 5 22	B.L. in the 2nd Division.
13	Babu Rai Mohan Karmakar, M.A., B.L.	27 7 17	30 2 4	M.A. in the 1st Division, standing second in order of merit; B.A. with double Honours; and B.L. in the 2nd Division. Passed the Survey examination for Pleaders. Sanskrit Kavyaratna title-holder.
14	„ Narendra Kishore Chakrabarti, M.A., B.L.	27 6 7	29 4 15	B.L. in the 2nd Division, having stood tenth in order of merit; and M.A. in the 2nd Division, having stood fourth in order of merit. Passed the Survey examination.
15	„ Narendra Nath Neogi, M.A., B.L.	28 4 24	30 1 11	M.A. in the 3rd Division, and B.L. in the 2nd Division, having stood twelfth in order of merit.
16	„ Rebati Ranjan Mukherji, B.L.	28 4 24	30 2 12	B.L. in the 1st Division, standing fifth in order of merit.
17	„ Probodh Chandra Ray, M.A., B.L.	28 0 12	29 9 25	B.A. with second-class Honours, having stood first in order of merit; M.A. in the 3rd Division; and B.L. in the 2nd Division.

1909.

		Y. M. D.	Y. M. D.	
1	Babu Nani Gopal Mukerji (No. II), M.A., B.L.	28 11 4	31 2 18	B.A. with second-class Honours; M.A. in the 2nd Division; and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
2	„ Benode Behari Ray, M.A., B.L	29 0 0	31 2 20	M.A. in the 3rd Division and B.L. in the 2nd Division, standing third in order of merit.
3	„ Tarak Nath Basu, M.A., B.L.	27 5 20	29 9 21	B.A. with double second-class Honours; M.A. in the 2nd Division, having stood 2nd in order of merit; and B.L. in the 2nd Division.
4	„ Shashi Jiban Sen, B.L. ...	28 2 22	30 0 0	B.L. in the 2nd Division.
5	„ Rash Behari Barman, B.L.	28 4 2	30 0 0	Ditto ditto.
6	„ Akshay Kumar Chakrabarti, Vidyabhusan, M.A., B.L.	28 4 2	30 5 14	B.A. with double second-class Honours; M.A. in the 3rd Division; and B.L. in the 2nd Division. Sanskrit Vidyabhusan title-holder.
7	„ Raj Narayan, B.L. ...	28 0 21	30 6 15	B.L. in the 1st Division.
8	„ Nagendra Kumar Basu, B.L.	28 4 3	30 7 0	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
9	„ Nirmal Chandra Mittra, M.A., B.L.	28 8 25	31 4 27	M.A in the 3rd Division and B.L. in the 2nd Division.
10	„ Sheo Nandan Prasad, B.L.	28 10 0	31 6 15	B.L. in the 2nd Division.
11	„ Krishna Sahay, B.L. ...	28 10 24	31 6 15	Ditto ditto.
12	„ Sachindra Kumar Sen, B.L.	28 6 24	31 3 18	B.L. in the 1st Division Passed the Survey examination for Pleaders.
13	Mr. Ihtisham Ali Khan, Bar.-at-Law.	26 4 10	29 0 0	He is a Barrister.
14	Babu Shishir Kumar Ghosal, M.A., B.L.	28 3 28	30 10 0	B.A. with second-class Honours; M.A. in the 2nd Division; and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
15	„ Subodh Kumar Bhattacharji, B.L.	28 3 24	30 11 15	B.L. in the 1st Division, having stood thirteenth in order of merit.
16	„ Phani Bhusan Banerji, M.A., B.L.	27 8 5	30 3 18	B.A. with second-class Honours; M.A. in the 2nd Division; standing fifth in order of merit; and B.L. in the 2nd Division.

1910.

No.	NAME.	Age when first appointed.			Age when confirmed in the Service.			Educational qualifications.
		Y.	M.	D.	Y.	M.	D.	
1	Babu Upendra Kumar Kar, B.L.	28	4	5	31	0	15	B. L. in the 2nd Division. Passed the Survey examination for Pleaders.
2	" Debendra Chandra Biswas, M.A., B.L.	27	4	10	30	1	15	B.A. with 2nd class Honours; M.A. in the 3rd Division; and B.L. in the 2nd Division, standing eighth in order of merit. Passed the Survey examination for Pleaders.
3	" Daibaki Lal Sen Gupta, M.A., B.L.	28	8	1	31	6	15	B.A. with first-class Honours; M.A. in the 3rd Division; and B L. in the 2nd Division.
4	" Shyam Narayan, B.A., LL B.	27	8	10	30	7	4	LL.B. in the 2nd Division.
5	" Nripendra Nath Guha, B L.	27	4	14	30	5	0	B.L. in the 2nd Division.
6	" Prandhan Bhar, B.L. ...	28	4	15	31	5	7	B.A with 2nd class Honours; B.L. in the 1st Division, having stood first in order of merit. Obtained the University Gold Medal as well as the Ritchie Prize.
7	" Satya Prasanna Mazumdar, M.A., B.L.	27	4	16	31	5	20	M.A. in the 3rd Division and B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
8	Maulvi Najabat Hossain, B L.	27	4	23	30	5	27	B.L. in the 2nd Division.
9	Babu Praphulla Krishna Ghose, M.A., B.L.	26	4	26	29	6	3	M.A. in the 3rd Division and B.L. in the 2nd Division. Passed the Survey examination for Pleaders
10	" Satya Charan Mukerji, B L.	27	2	26	30	4	18	B.A. with second-class Honours; B.L. in the 1st Division. Passed the Survey examination for Pleaders.
11	" Pran Kumar Basu, M.A., B L.	27	4	18	30	7	3	M.A. in the 3rd Division and B.L. in the 2nd Division.
12	Pandit Ram Chandra Chaudhuri, B.L.	27	11	18	31	1	19	B.L. in the 2nd Division.
13	Babu Rabati Mohan Goswami, B L.	27	4	22	30	7	20	B.L. in the 1st Division. Passed the Survey examination for Pleaders.
14	" Rajib Nayan Sahay, B.L.	27	5	3	30	9	26	B.L. in the 2nd Division.
15	" Hira Lal Mukerji, M.A., B.L.	25	4	23	28	10	4	B.A. with double second-class Honours; M.A. in the 2nd Division, having stood fifth in order of merit; and B.L. in the 1st Division, having stood second in order of merit.
16	" Narendra Kumar Mukerji, B.L.	28	9	21	32	2	16	B.L. in the 2nd Division.
17	" Kshirada Ranjan Dhar, B.L.	28	10	15	32	3	28	Ditto ditto.
18	" Jyotish Chandra Neogi, B.L.	28	11	19	32	3	9	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.

1911.

		Y.	M.	D.	Y.	M.	D.	
1	Babu Rajendra Kumar Gupta, B.L.	28	10	26	32	0	0	B.L. in the 2nd Division.
2	" Madhu Sudan Ray, B.L.	28	8	7	31	5	0	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
3	" Bhujagendra Mustafi, B.L.	28	8	7	32	1	15	B.L. in the 2nd Division.
4	" Surendra Nath Ray, B L.	28	10	17	32	1	20	Ditto ditto.
5	" Manoranjan Ray, M.A., B.L.	28	8	21	31	10	15	B.A. with second class Honours; M.A. in the 3rd Division; and B.L. in the 2nd Division.
6	" Narendra Lal Basu, B L.	29	0	0	32	2	0	B.L. in the 2nd Division.
7	" Atul Chandra Ganguli, M.A., B.L.	28	1	13	31	4	0	M.A. in the 3rd Division and B.L. in the 2nd Division. Passed the Survey examination for Pleaders
8	" Jatindra Nath Ghose, B.L.	29	2	5	32	4	8	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
9	" Panna Lal Basu (No. 1), B.L.	28	11	3	31	5	21	B.L in the 2nd Division.
10	" Upendra Chandra Ghose, M.A.	28	4	6	31	5	15	B.A. with second-class Honours; M.A. in the 3rd Division; and B.L. in the 2nd Division.
11	" Benod Behari Mukherji, B.L.	28	10	8	31	5	27	B.A. with second-class Honours and B.L. in the 2nd Division.
12	" Birendra Chandra Sen Gupta, M.A., B.L.	28	4	20	31	6	15	B.A. with second-class Honours, standing second in order of merit; M.A. in the 2nd Division, standing second in order of merit; and B.L. in the 2nd Division, standing twelfth in order of merit.

1911.—*concluded.*

No.	NAME.	Age when first appointed.	Age when confirmed in the Service.	Educational qualifications.
		Y. M. D.	Y. M. D.	
13	Babu Tara Prasanna Chatterji, M.A., B.L.	28 10 11	31 6 24	B.A. with second-class Honours; M.A. in the 3rd Division; and B.L. in the 2nd Division.
14	" Jogendra Chandra De Biswas, B L.	28 7 24	31 10 0	B L. in the 2nd Division. Passed the Survey examination for Pleaders.
15	" Kali Prasanna Bagchi, B.L.	29 0 0	32 0 0	B.L. in the 2nd Division.
16	" Praphulya Chandra Guha, B L	28 11 1	32 0 16	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.
17	" Tribhubaneswar Ray, B.L.	29 0 0	32 2 15	B.L. in the 2nd Division.
18	" Amulya Gopal Ray, B.L.	28 10 3	31 11 21	B.L. in the 2nd Division. Passed the Survey examination for Pleaders.

1912.

No.	NAME.	Age when first appointed.	Age when confirmed in the Service.	Educational qualifications.
		Y. M. D.	Y. M. D.	
1	Maulvi Muhammad Ibrahim Husain, B L.	27 7 28	30 9 0	B.L. in the 2nd Division.
2	" Saiyed dur-Rahman, M.A., B L.	26 11 7	30 1 15	M.A. in the 2nd Division and B.L. in the 2nd Division.
3	Babu Satchidananda Mukherji, B.L.	25 3 11	28 4 0	B.L. in the 2nd Division.

16301. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—Yes. No alteration is proposed. The system of acting promotion is one peculiar to the Service recruited in England and has never been extended to the Service recruited in India. The reason for the differential treatment of the two Services, viz., the Provincial Civil Service and the Indian Civil Service, is that the latter was originally organized on a system of substantive promotion in furlough vacancies. In 1868 the procedure was changed and an officer proceeding on furlough retained a lien on his grade appointment. As a partial compensation to the *locum tenens* for the loss of substantive promotion what is known as an officiating allowance was given. I do not propose to extend this system to the Provincial Judicial Service.

16302. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—A time-scale is preferable to the present system of graded promotion. It should be restricted to the grades of Munsifs and Subordinate Judges. A time-scale provides an even flow of promotion which is not secured by the present system of graded promotion. Under the present system promotions depend mainly on chance such as death or retirement of other officers. So far as the Provincial Judicial Service is concerned, the time-scale should be restricted to the grades of Subordinate Judges and Munsifs. There should be a separate time-scale for the two grades. The principle suggested is a time-scale for each class of officers doing the same class of work. No doubt promotion from the grade of Munsif to that of Subordinate Judge would still depend to some extent on vacancies occurring, but the posts of Subordinate Judges are to be considered as posts to which promotion is to be by merit and not by seniority only. It would ensure at least in the grade of Munsifs an even and steady flow of promotion.

16303. (27) As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—I recommend a system by which each main class of appointment has its separate time-scale.

16304. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the Service is different?—The grant of increment would depend on good conduct and satisfactory work. Promotion to the grade of Subordinate Judges would be by selection. The judicial branch and the executive branch of the Provincial Service are entirely distinct. They are recruited entirely distinct from each other. No question of different time-scale would therefore arise. Each Service would be treated by itself. Please see also question (27). There are no charge allowances in the Provincial Judicial Service.

16305. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary appoximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes. The principle on which officers of the Provincial Civil Service receive two-thirds of the pay drawn in the same post by members of the

Indian Civil Service is that these officers are serving in their own country. The officers of the Indian Civil Service are recruited in England and the extra pay which they get as compared with the members of the Provincial Civil Service is to compensate them for serving a long distance from their home with the attendant expense of going to and fro. The principle is fair and just, and it is not proposed to alter it.

16306. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned, in your opinion, suitable? If not, what alternative arrangement do you suggest?—The members of the judicial branch of the Provincial Civil Service are ordinarily not entitled to any leave on full pay. In certain rare cases, which practically never occur, when an officer of the Provincial Judicial Service is detained on duty during the vacation, he is entitled to any leave on full pay. With regard to the amount which can be earned, I would suggest that privilege leave on full pay, to the extent of 15 days in the year, should be allowed to the Provincial Judicial Service. It would be a great boon to the Service who now, if any sudden emergency arises, are obliged to take leave on half pay. It may no doubt be argued that the Provincial Judicial Service enjoy a vacation of some 5 weeks every year which they get on full pay. At the same time it must be remembered that this vacation comes at a fixed time. Emergencies may arise, such as illness or urgent private affairs, when a week or two's leave would be a great convenience.

16307. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No. All the furlough due to the members of the Provincial Service is not taken. The great majority of them never take any furlough at all. I do not propose, however, to make any alterations in the rules as to the amount of furlough admissible.

16308. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes. The maximum and minimum limits of leave allowances at present fixed may be considered suitable, except the maximum allowance on privilege leave. I propose that officers of the Judicial Provincial Service may get privilege leave on full pay for 15 days in the year, instead of on half pay as at present.

16309. (36) Have you any recommendations to make in regard to special leave, extra-ordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The present conditions which govern the various kinds of leave are artificial, and often cause much inconvenience to officers. I propose to abolish, as far as possible, these artificial restrictions. An officer will be considered as having earned so much leave according to the length of service he has done, and the granting or refusing of leave will depend on the urgency of the case and the convenience of the Administration. With regard to leave allowances they may be considered as generally suitable. I propose that officers of the Judicial Provincial Service should be allowed privilege leave on full pay for 15 days per annum.

16310. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—Not that I am aware of.

16311. (38) In particular, are they a contributory cause of excessive transfers of officers; and, if so, how can this difficulty be met?—Not that I am aware of.

16312. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Yes. An officer of the Judicial Service cannot take privilege leave except on half pay. The intervals which must elapse between the grant of furlough at times make it necessary for an officer to take leave without pay, even if he has earned a certain amount of furlough. The appropriate remedy would be:—(*i*) To allow officers 15 days' leave on full pay every year. (*ii*) To remove the artificial restriction on taking furlough and special leave, and provided that in the case of an officer having leave to his credit, the only consideration should be the urgency of his necessity for taking leave and the convenience of the Administration. The conditions of an entirely Indian Service and a European Service are so different that no comparison can be drawn between their leave rules. The reason for suggesting that an officer of the Provincial Civil Service should be allowed privilege leave on full pay for 15 days in the year has been also discussed in question No. (32). Briefly they are these: The Provincial Judicial Service no doubt enjoy every year a vacation of five weeks. This, however, is at a certain fixed time. In case of sudden emergencies, such a illness or family matters, they must take leave on half pay. To be able to get 15 days on full pay would be a much appreciated boon. The existing differences between the leave rules for the Indian and European Services are suitable.

16313. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes.

16314. (41) Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?—No, I have no suggestions for the modification of the detailed working of the pension rules. Cases no doubt arise from time to time when officers are obliged to take an extension to enable them to complete the full 25 years' service. If the recommendation regarding the raising of the age-limit is accepted, this will never happen. If, however, it is not thought advisable to alter the present age-limit, the desirability of some relaxation of the rule requiring 25 years to qualify for a full pension might be considered.

16315. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I think it is desirable that Government should have the power to retire on reduced pensions such officers as may be found inefficient, but whom it would be difficult to retire without some provision for their subsistence. Such cases would probably be few, and the compulsory retirement of these inefficient officers would undoubtedly conduce to the efficiency of the Service. The scale of pension laid down in Article 474, a copy of which is put up with this answer, would meet the necessities of the case. The pension to be given would depend on the length of service the officer had rendered.

16316. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I suggest that members of the Provincial Judicial Service who have held one of the listed posts for more than three years should be eligible for an additional pension of Rs. 1,000 a year. The principle is not a new one. It is already applicable to a number of posts which may be held by members of what were formerly known as the uncovenanted services. Such posts are, for instance, the Inspector-General of Registration, Director of Public Instruction, Divisional Judge of the first grade in Burma. The grant of such a pension is not to be considered as a matter of right. It will only be granted in cases where the officer has shewn special energy and efficiency. The men who hold these listed posts must be looked on as the pick of their Service. The knowledge that good work and efficiency will be rewarded with an extra pension will be an incentive to hard work.

16317. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—It is optional with an officer to retire on a superannuation pension on attaining the age of 55, and it is also open to Government to order him to retire when he does attain the age of 55. This rule may be considered generally satisfactory. It must be pointed out, however, that Government has no power to compel an officer to retire before he attains the age of 55, even though he be an inefficient officer. It should be open to Government to compel an officer to retire on a proportionate pension in cases of inefficiency. It is a great disadvantage to be obliged to retain him in service. Cases arise in which an officer is found to be inefficient, but in which it is not possible to dismiss him without granting him some means of subsistence. The power of compulsory retirement on a proportionate pension would tend to the efficiency of the Service. It is probably less costly in the end to retire an inefficient officer on a proportionate pension than to retain him in service.

16318. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The members of the Provincial Judicial Service subscribe to the General Provident Fund. Whether such subscription, which is at present purely voluntary, should be made compulsory, is a point for the Service itself to decide.

16319. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not satisfied with the present organization of the Provincial Judicial Service. Owing to the late territorial redistribution the prospects of the members of the Judicial Service who have been allotted to Bengal compare unfavourably with those of the officers allotted to Bihar and Orissa. This has caused a deep feeling of discontent among the officers allotted to Bengal. In order to remove what is undoubtedly a legitimate grievance and to provide for the conditions of work, I propose to add six Subordinate Judgeships to the Bengal cadre, to retain the grade of Rs. 500 for Munsifs, and to regrade the whole Service in such a way that its average pay may be raised to the level of the pay of the officers in Bihar and Orissa. The pay of the lowest grade of Munsifs should be raised to Rs. 250.

MR. A. H. CUMING called and examined.

16320. (*Chairman.*) You are a District and Sessions Judge, are you not?—I am.

16321. And you have been employed on special service to furnish answers to us in regard to the judicial branch?—Yes, purely the judicial branch.

16322. The answers that you have been good enough to send us represent the opinion of the Government?—No, they are not necessarily the opinions of Government; they are my personal views. I have made a note of that on the proof.

16323. I see you are not in favour of appointments from the Bar?—No.

16324. Would not you have any proportion of appointments from the Bar?—I do not think so.

16325. Have you any objection to Judgeships of the High Court being appointed direct from eminent members of the Bar?—I was considering only the posts of District and Sessions Judge. I was not considering the higher appointments for the High Court, and I have not considered that point at all.

16326. Your opinion is that the members of the Bar would not have that knowledge of the people, their customs and manners, and so on, which in your judgment is necessary for anybody occupying a judicial position?—I am referring to a barrister brought out straight from England and put at once into the position of a District and Sessions Judge.

16327. You are not alluding there to Indians?—It might possibly include a number of members of the Indian Bar also.

16328. You would not say that in regard to language and customs so much?—Not exactly, but I am inclined to think that people brought up entirely in Calcutta will have very little knowledge of village life. But that portion of my answer applies more especially to the barrister brought out straight from home and not so much to the Indian barrister.

16329. Can you tell me what proportion the criminal work bears to civil work in District Judges' courts?—It varies very largely in different districts. For instance, in a district from which I have just come practically the whole District Judge's time could be taken up with sessions work, while in the neighbouring district of Noakhali he has very little sessions work indeed.

16330. A great deal less criminal?—Where I come from it is practically all criminal work, and in the next district it is practically all civil work that the District and Sessions Judge has to do.

16331. So that there is no uniformity?—There is no uniformity; it depends on the district very largely. Districts vary very much.

16332. You think that on the whole, although the District Judges have not had the opportunity of a training in civil work, they have done fairly well?—Yes, considering all the disadvantages.

16333. In spite of the lack of training?—Yes. I have the figures before me comparing his work, the results of his work as shown by the result of appeals in the High Court, with the work of a trained Subordinate Judge who is presumably a highly trained officer.

16334. Those returns make a favourable show?—I think they make a very favourable show.

16335. Your main proposals are with a view to giving higher training?—Yes.

13336. In answer to question (51) you suggest that during the early probation there should be a considerable increase of legal studies. That increase of legal studies would he for all probationers,—there would be no objection to it at all.

16337. It is not a question of objection. I suppose it would be imposed automatically on all probationers quite irrespective of whether they took up executive work hereafter or judicial work?—Not necessarily. If you pick out the men here to elect to the judicial line immediately after they passed the competitive examination, then only those candidates who select the judicial branch need undergo such judicial training. Those who are selected for the executive branch need not undergo it.

16338. But your scheme is to bifurcate in the fourth year?—Yes.

16339. Therefore I was asking you whether those additional subjects of legal study would be general to all probationers under your scheme?—Yes, they would have to be.

16340. So that you would be really giving rather more legal training to those who hereafter took up the executive than was positively necessary?—I do not think it would do them any harm. A knowledge of law is very necessary in the executive as well as in the judicial.

16341. Would this extra knowledge of law have to be given to the exclusion of other subjects?—Yes, I think it would.

16342. Then you suggest that after the fourth year selection should be made. Do you consider that four years would be sufficient to give that training in the general line which is as much required for a Judge as it is for an executive officer?—I think it would have to be sufficient, because you must begin some time or other to train your officer as a purely judicial officer. I think in four years he could acquire a very good knowledge of general administration, a fair knowledge, as much as he wants.

16343. Do you think that four years is the shortest practicable period?—I would not lay down a hard-and-first rule really.

16344. We have had a good deal of evidence from other witnesses suggesting a longer period of general service?—I am not prepared to lay down any hard-and-fast rule. I merely suggest four years, but it may be five years.

16345. Do you prefer that the selection should be made after four years, or immediately after the examination?—No. I am rather inclined to prefer the selection immediately after examination. The judicial side would then get a fair chance of getting their share of the best men, because they would be obliged to be picked out before their qualities were known.

16346. What would be the course then, assuming that you took this in preference to your own proposal?—The course would be exactly the same.

16347. Except that they would have had four years?—No, it would be that they selected merely which branch they were to take immediately after passing the examination, but they would have then two years' probation at the University and come out and have their four years in the ordinary line and the take up purely judicial work.

16348. You would not put them on to Munsif's work until they had had their four years general service?—No. I attach great importance to the administrative training of four years.

16349. They would have two years as Munsifs and then they would assume the powers of a Subordinate Judge for two or three years?—Possibly yes; perhaps three years altogether for doing the work of Munsif and Subordinate Judge; perhaps eighteen months for each. The difference between the work of the Munsif and the Subordinate Judge is that the Subordinate Judge tries more important cases, cases of higher value, and hears certain civil appeals.

16350. It is only a question of degree?—Yes, a question of degree in the importance of the work.

16351. So that he would have gone through his preliminary training as a Munsif to fit him for the more important work of a Subordinate Judge?—Yes.

16352. During the time he is going through that training what salary would you suggest he should be earning?—I have not considered that question really. I think they should get more or less the salary their contemporaries were getting in the parallel executive line. They should get a salary approximating to what their contemporaries in the executive line were getting.

16353. There are just one or two questions I should like to ask you with regard to your Provincial Service proposals. You propose to dispense with the three years' practice at the Bar?—Yes, I do.

16354. Do you consider that the time is largely wasted?—I think it is almost entirely wasted.

16355. And by dispensing with that an officer would be able to go up the grades at a much earlier age than is now the case?—Yes.

16356. I calculate that by your scheme you would save for him something between five and six years?—My scheme will save him about six years, I think; at any rate five or six years.

16357. Do you think that by the withdrawal of the three years—although you say it is not much use—he would have sufficient training under your scheme?—I think he would have better training under my scheme.

16358. What would he be doing during those three years under your scheme?—As soon as he got his first appointment he would go to that appointment, and he would be attached to the Court of a District Judge and would learn a certain amount of administrative work. He could attend the Court of the District Judge and watch suits tried, or attend the Court of Munsif or the Subordinate Judge and see how suits are tried there. Then he could execute commissions and assist the Public Prosecutor in conducting Government cases. This he would do in the interval between his officiating appointment as a Munsif.

16359. You think that would give him a much more practical training?—Yes, I think he gets none at the present.

16360. With regard to the retirement of inefficient officers, what machinery would you have to prevent any abuse in retiring an inefficient officer?—I think similar machinery to that suggested by Mr. Stephenson for the Indian Civil Service.

16361. Exactly similar to that?—Yes, something similar to that.

16362. In answer to question (24) you say that considerable dissatisfaction has grown up amongst the members of the Provincial Judicial Service of Bengal since the latest territorial changes have seriously impaired their prospects; and unless some remedy is devised, this feeling will have its effect on the quality of recruits in future years. Can you explain that a little?—Originally the officers who are now serving in Bihar, Orissa and in Bengal formed one service. Since the readjustment of the territory they form separate services, and the prospects in Bihar and Orissa, owing to the work necessitating many more Subordinate Judges than in Bengal, are much better than those in Bengal; hence considerable dissatisfaction has grown up in the Judicial Service in Bengal.

16363. In answer to question (32), you suggest 15 days a year for leave on full pay. Will that involve any extra staff, or have any dislocating effect on the service?—I do not think so. In the Provincial Service of the judicial branch there is no leave reserve at all.

16364. You think that arrangements can be made by which men can go on leave for that period without having to keep an extra reserve to take their place?—We have no reserve at all, and I do not think it will be necessary.

16365. I want to know whether you think this scheme could be carried out without having to introduce something in the nature of a reserve to undertake the work?—I have not considered that question.

16366. It is an important point?—Yes, it is.

16367. In answer to question (26) you say the present conditions which govern the various kinds of leave are artificial. What are the proposals that you make to remove these defects?—The proposal which I think has been suggested by the Government of India is to allow a man to establish a ledger account. A man would be allowed to have so much leave to his account and be allowed to take it whenever it is convenient to the administration to let him go without any artificial restrictions which necessitate a certain period of service between the different periods of leave. The only test will be the convenience of the administration and nothing else, and these artificial restrictions will all be removed.

16368. You think that can be done without any due inconvenience to the administration?—Certainly, because the convenience of the administration will be the test of granting him leave. If it were inconvenience, he would not get the leave

16369. With regard to the Provident Fund, you suggest it would be a good thing to make it a compulsory fund?—I think I said that was a matter more for the members of the service themselves.

16370. Are you in a position to say whether that would be a popular proposal with the service?—No, I cannot. I have not taken the sense of the Service on that question.

16371. (*Sir Murray Hammick.*) Would not it be rather an objection to making a man choose for the judicial or the executive after four years' service, that if he chose the judicial it would give him a great many years in which he would not have the opportunity of trying any criminal work?—He would have done criminal work for about four years, and criminal work is not very difficult. A man who can try civil cases can try criminal cases. If necessary, he could be given the powers of an Assistant Sessions Judge when he became a Subordinate

Judge after he had done 18 months as a Munsif, but I do not lay much stress on that. Criminal work can be learned very quickly, as compared with civil work.

16372. Would it not be rather difficult for a candidate who had just passed the competitive examination in England to make his selection with any justice to himself as to whether he was going to choose an executive or judicial career? He knows very little of what is in front of him. Do not you think he should wait until he saw something of Indian life?—Yes, I do not press that point very much.

16373. With regard to the course of studies you lay down here, providing the probation was increased to two years, it would be possible as far as I can judge to go through this course of studies and in addition for the candidate to learn some political economy, Indian history, and a certain amount of language. That would not burden him too much?—I cannot say anything on that point. What I should insist upon would be that law should come first and the other subjects afterwards.

16374. Do not you think that a knowledge of all these Acts you have mentioned here, Transfer of Property, Insolvency, and so on, are almost as important to an officer in the executive as they are to an officer who takes up the judicial?—They are distinctly important for him.

16375. And that therefore a study of this course of Law would not in the slightest degree be wasted, even if the officer did not take up the judicial line?—I do not think it would be at all wasted.

16376. Do not you think from what you have seen of men in the Civil Service out here that an officer who has made up his mind to take the judicial, which he does very soon after he arrives in the country, reads Indian Civil Law for some time on his own account?—As a matter of fact, I do not think there is very much selection about the matter. As a rule, it is a question of being put into the judicial.

16377. You have not the same system as we have in Madras?—There is supposed to be a selection.

16378. But you think the Government selects the officer, rather than the officer makes a selection himself?—I think it is so in very many cases.

16379. I suppose that is because there is a bias to one side or the other. Which are officers inclined to take at present in Bengal?—Formerly no one would take the judicial, but I think views have slightly changed now, and men are more anxious to go into the judicial.

16380. I suppose you would not allow the 15 days you propose to give to the Provincial Service officer to accumulate?—I think they might accumulate.

16381. (*Sir Valentine Chirol.*) Could you tell us whether the appointment of Indians recruited from the Indian Bar to discharge judicial functions, for instance in the Calcutta Police Court or the Sessions Court, has proved satisfactory?—You are referring to the Small Causes Court and the Police Court. I should prefer to answer that question confidentially.

16382. You spoke just now of some returns you had prepared to show the relative value. Will you put them in for the use of the Commission?—Yes, I will have copies printed and sent in.*

16383. (*Mr. Abdur Rahim.*) What experience have you had of judicial work?—I have been District and Sessions Judge for six years, and I have also acted as Legal Remembrancer.

16384. Within the six years you have acted as Legal Remembrancer also?—Yes.

16385. In your answer to question (13) of the Indian Civil Service, you say men recruited from the Bar come to their work entirely ignorant of these matters. By that I suppose you mean the customs and manners of the people. You go on then to say "They would look at every question purely from the legal standpoint without considering the ultimate result of the decision they gave. Such an attitude may be suitable for a highly developed country, but is fraught with many dangers in dealing with an ignorant and highly litigious people such as obtain in the mufassal in Bengal." I should like to understand you more clearly on this point. Do you say it is undesirable in a Judge to look at matters that they have to decide upon from a purely legal standpoint?—I think it is not exactly the letter of the law, but the spirit of the law, which is important.

16386. So that is what you meant when you spoke of "only from the legal standpoint?"—I am inclined to think a Judge should look a little further than the actual decision which he is giving. He should be able to consider its ultimate effects when dealing with the somewhat ignorant and highly litigious people we have in Bengal.

16387. What effect should he look at or consider?—It is rather difficult to explain.

16388. I want to understand your meaning, that is all?—He wants to be able to see the result of his decision.

16389. The result on whom?—On the people in general.

16390. To see how the decision of a particular case will affect the people in general?—Yes.

16391. How will it affect the people in general?—A particular case may affect the people very much in general.

16392. Can you give me a concrete instance?—I can. There was a recent decision in the High Court on the Muhammadan Law of Inheritance which has made a great difference in Bengal, and that decision has had a very serious effect in Eastern Bengal.

16393. A bad effect?—It has had a very far-reaching effect.

16394. Was it an undesirable effect?—To my mind undesirable.

16395. But the decision is according to law?—I am not here to criticize the decision.

16396. But supposing the decision is according to law, how would any undesirable effect affect the matter at all?—It can do, even if it is according to law. It may often have a very undesirable effect even if it is according to the strict letter of the law.

16397. Do you suggest that it is open to a Judge to look to anything but a proper decision purely and strictly according to law?—It is very easy to read the law in many ways, and it depends entirely on the way you read the law; the spirit in which you administer it.

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* *Vide Appendix No. IV.*

16398. Do you say that it is open to a Judge, in deciding a case before him, to decide on considerations other than the purely and strictly legal considerations?—Not exactly, but he should read the law in the best way.

16399. Is not the Judge bound to give effect to the law apart from any consequences?—Certainly.

16400. If the consequences are disastrous to the people in general or to any community in particular, is it not the part of the legislature to see to that?—Yes.

16401. The Judge must follow the law?—Certainly.

16402. If that is so, your statement is very wide?—Yes.

16403. And it is inaccurate?—I would not go so far as that.

16404. Do not you think it is the duty of the Judge to look at every question before him, purely from a legal standpoint, apart from any question of any result? Do you subscribe to that?—Yes.

16405. But that is not what you say, is it?—Yes, because you can read the law in so many ways.

16406. I think you are labouring under a misapprehension regarding that also, and you will permit me to point this out. Take, for instance, the construction of a statute: there are rules laid down and you have to construe the statute according to those rules?—I do not understand what you mean by the rules laid down.

16407. Are there not rules of interpretation?—I do not know what you are referring to.

16408. Rules as to how a statute is to be construed?—I am afraid I do not understand you.

16409. Have you heard of books on "The Law of Interpretation"?—Yes.

16410. Those books give you the rules which have been laid down by a series of decisions and enactments?—Yes, but I do not follow you even now.

16411. You know that there are standard works on the interpretation of statutes?—I do.

16412. And those works give you the rules of interpretation, do they not?—Yes.

16413. Then there are certain enactments of the Indian legislature which give rules of interpretation?—Yes.

16414. So that you have to interpret a statute according to those rules?—Yes.

16415. You are not entitled to go into the spirit of the Act apart from its language, and you have to follow the meaning and give effect to the words of the statute?—The words may have so many meanings. Very few Courts will agree on the correct meaning to be put on them. You have only to read the decisions of the various High Courts to see the different interpretations that can be put upon a statute.

16416. Do you say that the Judge has to look beyond the statute to go beyond the words of the statute? Must he not give effect to the words of the statute?—When a statute can be read in several different ways, then I think he should so interpret it as to do the best justice to the people in general.

16417. Do you have Pleaders appearing before you?—Certainly.

16418. Do you derive much assistance from them?—I derive much assistance from a good pleader.

16419. Have you ever felt embarrassment in cases in which a pleader did not appear on one side or the other?—Yes, I much prefer to have pleaders.

16420. Do they help you in deciding on questions of fact as well as on questions of law?—No, not on questions of fact or on questions of law. They point out the law to me and their view of the facts, and I decide.

16421. Do you mean to say that you do not look for assistance from pleaders in deciding upon the facts of the case?—No, certainly not. I get the facts from the witnesses.

16422. You do not have arguments upon the facts?—Certainly.

16423. And do you find that the arguments are of no value?—They are certainly valuable.

16424. Then in deciding upon questions of fact you have to rely upon the pleaders appearing for the parties?—They put their views of the facts before me for each side.

16425. You have to decide the case according to the best of your judgment, but I am putting it to you that you have to rely upon the assistance of the pleaders in coming to a conclusion upon the facts just as much as upon the law?—Each puts his view of the facts before me. I do not know that that is assisting me, but perhaps it may do so.

16426. Supposing one side is unrepresented by any Pleader and there is a Pleader on the other side who puts the facts before you in the best light he can for his client, do not you then wish that the other side was also represented?—I do, certainly.

16427. I find it has been stated before us, and I see you repeat the statement, that members of the Bar look at only one side of a question?—Yes.

16428. What you mean is that they represent one side of a case whenever they appear in a particular case, but is it possible for a Barrister or a pleader to make the best of his client's case without understanding the case of the other side?—I could not say really, as I have not had any experience as a Barrister or pleader.

16429. I thought you had had no experience of the profession. But from the Bench you could have understood something. You were saying that men who pass the competitive test are of far higher intellectual calibre than those who go in for the Bar?—Yes.

16430. Do you apply that to England?—Which portion of my evidence are you referring to?

16431. Your answer to question (13) where you say "It is obvious that candidates so recruited, whether selected by nomination or competition, would possess mental equipment inferior to that of candidates selected by open competition."—Yes.

16432. That men going in for the profession of law in England are as a rule inferior intellectually to Englishmen who appear for the Indian Civil Service?—No, not exactly that. What I mean is that the Bar examination is not nearly such a high intellectual test as the open competition for the Civil Service. The man who passes the open competitive examination would have not the slightest difficulty in passing the examination for the Bar, but the converse is not true.

16433. That was all you meant then?—Yes.

16434. You would not say that men of the very first ability did not choose the profession of law?—Certainly not.

16435. Another statement I should like you to consider is that at present Judges come to their work entirely ignorant of what they are going to do?—That is referring to their civil work.

16436. Do not you think it is a very serious state of things? -I agree it is, and it is a state of things I want to remedy.

16437. Even under your system you want men to do Judge's work without any training at all?—Certainly not.

16438. I do not see how under your scheme you will improve upon the state of things so far as that matter goes. You will have after four years the men to select the judicial or executive branch, but up to then you will have men with no training in law at all?—I am afraid you have not quite understood my scheme. My scheme proposed that they should do two years' training at home as probationary training.

16439. But that is only study?—No, there is some practical work in it also. They were to attend the Courts and report cases.

16440. Surely attending Courts is not much of practical work?—I should call it very practical work.

16441. You mean seeing other people conducting and deciding cases?—I do not know how else they are to learn to begin with.

16441A. Do you know what training a Barrister gets? —I presume he begins by watching other people doing the work.

16442. He begins by watching, but he has to go through other stages; he is gradually given simple work to do, such as asking for adjournment of cases, conducting *ex-parte* cases, consenting to judgments, etc. Then he works with his senior, takes up cross-examination of witnesses in unimportant cases. Then, gradually, by steps, he is entrusted with responsible work?—That is exactly what I propose.

16443. Before he acquires any status in the profession, a Barrister ordinarily has to go through at least about ten years' probation in actual work—That is exactly what I propose to do, only allow the Judge to begin trying simple cases to begin with.

16444. You say in one place that the system in England is different from the system in Spain, Portugal, France and Germany. Do you seriously say that the system in the Continental countries is preferable to the system in England?—I am inclined to think it is.

16445. Do you think English opinion is to that effect?—Conditions in England and on the Continent and in India are different. In the Continental countries they have the codified law as we have in India. France, Germany, Austria, Italy and other countries have the law codified. In England the law is not codified.

16446. How much law in India is codified? Do you find very much of it in your actual work?—Yes, I have found most of the law is codified.

16447. Hindu law or Muhammadan law?—No, but the rest of the law is practically all codified.

16448. Do you know that the Contract Act is not exhaustive, nor is the Transfer of Property Act?—I have seen that remark in the High Court rulings.

16449. And there is no Act regarding the Law of Torts?—Possibly not, but there is a very large amount of codified law.

16450. There is a certain amount, but smaller than you have suggested. As regards the Provincial Service, I find you have made certain suggestions. Is there any scheme at present for increasing the number of District Munsifs and Subordinate Judges?—Yes, in Bengal.

16451. They are very much overworked, are they not?—I do not know. Perphaps they are; there is a scheme for increasing the number of Subordiate Judges and regrading the Munsifs with a view to improving their pay.

16452. Will you be able to supply the Commission with the proposals of the High Court?—Certainly.

16453. Does that cover everything—leave, grading, prospects and conditions of the service?—This particular scheme has been framed with a view to removing certain grievances that the Judicial Service have, because their pay compares unfavourably with the pay of the Munsifs in Bihar and Orissa. The scheme consists briefly of increasing the number of Subordinate Judges to six, and regrading the grades of Munsifs in such a way that the average pay of the Bengal Judicial Service will become equal to the average pay of the Bihar and Orissa Judicial Service.

16454. Does it cover the most important points in their grievances?—I could not say. It covers that particular grievance.

16455. (*Mr. Madge.*) Near the end of your answers to question (13) you say Judges appointed direct from the Bar would have no administrative training whatever. Do you apply that equally to the Indians as well as the English Barristers?—Certainly, possibly more so.

16456. With reference to that opinion, when you have said that you would not lower the period below four years, would you object to the period being extended beyond four years?—No, I do not want to lay down any hard-and-fast rule at all on that point. I have suggested four years, but it may be found by experience that five years is better, or three years.

16457. I should like your personal opinion on that point, because I remember an official circular in which a period of nine or ten years was fixed on the very ground on which you think that administration experience is valuable to a Judge. You would not object to the extension of the five to even eight or nine years with a view to obtaining administration experience which is valuable to a Judge, would you?—The difficulty then would be that you have to get in this period of three or four years as a Munsif and Subordinate Judge and the year's study leave.

16458. I am speaking of the Civil Service first?—If you make the period seven or eight years, you have to serve for some three or four years as Munsif and Subordinate Judge, and then you have to go home on a year's study leave, and that will bring you to about 12 or 13 years' service, and that is too late.

16459. That would operate injuriously?—I think so.

16460. If the whole scheme was not adopted, you would think it was an advantage to prolong the period as much as possible?—The more experience the better, but it is a question of time.

16461. Do you think the conditions prevailing in France and Germany—I do not know anything about other European countries,—approximate more nearly to those prevailing in India, and is that what has led you to your preference for appointments otherwise than from the Bar? Are there other conditions than the codified law?—I cannot say, as I have not sufficient experience of the countries you have mentioned.

16462. With regard to the qualification of British Judges at home, do you think that the trust reposed in them by the general public is owing entirely or largely to legal knowledge or to their having grown up in a society whose conditions they thoroughly understand?—I am not prepared to give an opinion on that.

16463. In the interpretation of the common law at home, do you think the Judge depends entirely upon legal proceedings, or do you think the fact of his having grown up in English society and drunk in its very spirit, and acquired a knowledge of everything, the practice of courts and other conditions, are useful to him in the interpretation of common law?—Yes, possibly.

16464. (*Mr. Macdonald.*) Do you think that the training of an Executive officer is good for the development of the judicial mind?—It gives him a knowledge of people and how they live, which is very useful to him, and a knowledge of the general administration is necessary to him.

16465. I put the questions to you as a result of listening to the answers you gave to Mr. Justice Rahim about Judges looking to consequences. It struck me that was the good political and administrative mind, but a very bad judicial mind. Have you ever thought of it from that point of view?—Yes.

16466. Is that an objection, do you think, to the combination of the two offices at any point?—I think it is rather a good thing to combine the two slightly, the purely judicial mind and the executive mind.

16467. Does it not lead you rather to hold law and legal process in contempt?—No, I do not think so necessarily.

16468. You do not think it makes you consider yourself to be above the law, and that you take a wider view of life than a lawyer?—No, I do not think so.

16469. (*Mr. Sly.*) I should like to ask you a few questions about your scheme for the Provincial Civil Service. I understand you wish to dispense with the condition that a candidate should have had a certain amount of practice at the Bar?—Yes.

16470. If that is followed, would it not be necessary to make a self-contained service on the same lines as the Executive Service? For instance, how would you manage your leave reserve under your system?—There would be a certain number of men who, when they were not actually officiating as a Munsif in a judicial post, would be attached to a district court doing various duties. They would be always eligible for any appointments.

16471. On pay?—Yes, on pay, certainly.

16472. What pay?—I have suggested Rs. 150. I certainly think they ought to have pay.

16473. A certain number of probationers?—Yes.

16474. That also exists in the Executive Service, does it not? If your service is recruited in the method you suggest, surely it would be necessary to have a self-contained service with a leave reserve, and a regular rate of recruitment on the same lines as the Executive Service?—Yes, possibly it might be, but that is no objection to the scheme.

16475. Can you tell us whether recruitment for the judicial branch of the Provincial Civil Service at present does or does not attract the best legal talent available?—I think it does. I have prepared a statement which is annexed to my answers which will show the University qualifications of the men who are now being recruited. That is the only test we have practically, and it seems to me that they are a very fair class of men. They are certainly above the average.

16476. Whether they are the best law students or not you cannot tell us?—No.

16477. With regard to your recommendation for 15 days' privilege leave a year, how long is the vacation in Bengal?—Five weeks.

16478. For both Munsifs and Sub-Judges?—Yes, and District Judges.

16479. During that period have they any duties?—None at all.

16480. Are they permitted to leave their districts?—Always.

16481. Then as a matter of fact they have five weeks' leave every year?—Yes.

16482. Complete leave?—Complete leave.

16483. In addition to that you wish to give them 15 days' leave on full pay?—Yes. They have to take these five weeks at a certain fixed time, but emergencies may arise, such as a marriage or some urgent private business which requires their absence for 15 days, and at present they must go on half pay.

16484. Is the system of casual leave unknown?—No, it is not, but casual leave amounts to ten days only, and is not sufficient. I have known of cases where it has not been enough.

16485. In your answer to question (43) you have suggested a special pension for the judicial officers of the Provincial Service who hold listed appointments for a period of three years. Do you think that such a system would be liable to lead to demands for extension of service?—I could not say. I presume the same disadvantage or advantage would attach to it as to the other service which has it.

16486. Do you think it would interfere substantially with the freedom of selection at present enjoyed by the Government in putting officers into listed posts?—I do not see how it would.

16487. Is it a very much more serious matter to pass over an officer for a listed post if you have to pass him over knowing that you also deprive him of an additional pension?—I do not know that it is. If they are prepared to pass him over for a listed post, I do not think they would consider the question of extra pension. If he is passed over he is going to lose the extra pay any way.

16488. With regard to the suggestion you have put forward that there should be an immediate choice between the judicial and executive branches immediately after the competitive examination, do you think that a young candidate in England who has never seen India is in a position to make a considered choice between the judicial and the executive?—I do not know that he would be really, but he would make some choice

16489. But he might be wrong?—He might be wrong, but as I have pointed out it is not now a question of choice, or has not been hitherto; it has been a question of being put there.

16490. Do you think Government at that stage would be in a position to make a careful selection of the sort of officer that should go into the judicial?—No, they would not, and that is why I prefer it, because the judicial would get their chance of having some of the good men.

16491. Do you think that if the services were bifurcated from the very start there would be any possible danger to the good government of the country from a likelihood of antagonism springing up between the two branches of the service in India?—I do not think so. As long as they were members of the same service I do not think such an antagonism is likely to spring up. I think it would spring up now as much as it would then, and I do not think the early bifurcation will make any difference. All these men will still have to do their four years in the executive line.

16492. (*Mr. Gokhale.*) When you first came out to India, under whom were you placed for training?—Mr. F. H. Skrine.

16493. Were you ever under Mr. Malik?—Yes, I was under him for some time.

16494. How long were you under him?—About a year, but I cannot remember exactly.

16495. What district was that?—Bhagalpore.

16496. He was Collector there, was he not?—Yes.

16497. And your training under him was satisfactory?—I think it was. I hope so.

16498. (*Mr. Chaubal.*) I have not yet been able to understand what your view is about this question of the separation of the judicial and executive functions?—I have not expressed any opinion on the subject.

16499. That is why I asked you?—I am not aware whether the question is a real grievance or not.

16500. Would the administration suffer if there were separation, or would it in any way improve? We are not now concerned with the recruitment of the service; the question of recruitment and the question of separation are quite distinct. I want to have your opinion as to whether you think if the two functions were separated the administration of justice would be likely to improve or to suffer?—You are referring to the fact that Deputy Magistrates are now under the District Magistrates, are you not?

16501. To Magistrates of all classes, to the Subdivisional Magistrate, leaving of course their powers for prevention untouched?—My own opinion is that so long as you leave the District Magistrate with his preventive powers, it will not very much interfere with the administration, but of course that will remain to be seen.

16502. With reference to this question of separation, you know that in the Presidency towns there is this separation of the two functions?—I believe so.

16503. And we have not heard any complaints about this want of combination in the Presidency towns between magisterial and other functions causing inconvenience to the administration?—No, I have not heard that it has. Of course the conditions of a Presidency town and a mufassal district in Bengal are different, very different.

16504. I daresay, but there you have an instance of where they are separate at the present. With respect to this question of training, may I ask you why you are so much against any recruiting from the Bar for the Judicial Service?—I will not go so far as to say there should be no recruitment from the Bar, because that is going a little too far possibly. At the same time for a District Judge there is an enormous amount of administrative work to be done, and what I apprehend is that a Barrister appointed straight from the Bar to a District Judgeship would have no knowledge of this administrative work.

16505. That is just the point I wish to get cleared up. Do you think that a Barrister who has practised in courts and actually conducted cases in which all possible questions of administration in the different departments are concerned, does not really get any information as to the way in which revenue and other work is done?—Personally I do not think he would very much. I do not think such questions very often rise in cases.

16506. Take the Indian Civilian Judge who is put into the Judicial Department when he comes out fresh to the country. The Barrister in that connection is on the same level with the Indian Civil Service man who has not done any executive work or any administrative work, is he are not?—They both equally ignorant.

16507. Supposing the Barrister is given the three or four years' training which you want in administrative, settlement and revenue work, would you then consider that the Barrister might be fit to do judicial work?—I think it would assist him very much and improve his efficiency very much as a Judge. But are you referring to an English Barrister?

16508. I am taking both, but principally I was referring to an Indian Barrister. You know that the whole of the Small Causes Courts in the Presidency towns are practically recruited from the Bar?—Not necessarily, but to a large extent.

16509. In Bombay they are?—They are not in Bengal entirely. One has a Subordinate Judge at present.

16510. I see that out of six there is only one who is a B. L.; the rest are all Barristers?—I think there is one gentleman who is a Subordinate Judge at present in a Small Causes Court, Mr. Rao.

16511. He is the B. L. and the rest are all Barristers?—Yes.

16512. In the High Court they have recruited not less than two-thirds from the Bar?—I do not think that is quite correct; it is not less than one-third of Barristers.

16513. Do you find that the Indian gentlemen who have practised at the Bar and are raised to the High Court Bench suffer on account of their want of acquaintance with administrative work?—I do not think they have any administrative work to do in the High Courts, as far as I understand.

16514. I am not referring to their administrative work there, but does their administration of justice suffer on account of their not being acquainted with how administrative work is done and how executive work or settlement work is done, a knowledge of which you say is a very valuable asset to the District and Sessions Judge?—They would probably be all the better Judges for that knowledge.

16515. As a matter of fact do not you think that when there are two good pleaders appearing on different sides, all possible questions, whether they refer to administration or anything, can be put before the Judge by them?—I am inclined to think the general public are singularly ignorant of the whole system of administration.

16516. I am not speaking of the general public, but of the trained practitioner at the Bar?—I am not certain that they have a very intimate knowledge of the system of administration either, if any at all.

16517. But in any case do you think that a fairly intelligent man with three or four years' work in those departments will not be able to get enough knowledge for the purpose of being fit for Judge's work?—I should think so, certainly, in three or four years.

16518. (*Sir Theodore Morison.*) With regard to the Provincial Civil Service, what time of the year is the vacation?—It varies.

16519. Do the *Pujas* of India fall in with it?—The executive *Pujas* as a rule come into the middle of it, usually somewhere about the middle.

16520. The *Pujas* are included in the vacation?—They are.

16521. How long are the *Puja* holidays?—The executive *Pujas*, I think, are 12 days.

16522. Are there any other holidays falling within the vacation?—Sometimes there are.

16523. I understand that the contention of the Provincial Service is that the vacation is at a time in which the courts would be very largely closed, and to that extent the vacation is not an additional benefit to them, and therefore that is another ground for the proposal they make. Is there anything in that?—I am not prepared to say there is anything in that. The vacation always falls in a very unhealthy time of the year, and it is a very good thing for people to be away then.

16524. (*Lord Ronaldshay.*) You say a District Judge in India has very often as many as 15 or 20 courts subordinate to him for the due working of which he is responsible. Could you tell me exactly what that involves?—It involves inspection of the courts, inspection of the registers and the records, seeing that there is no undue delay in the disposal of suits; it involves the transferring of suits from one Munsif to another in order that the work may go on properly; and there are numerous returns connected with these courts, quarterly returns showing how the suits have been disposed of, and every delay over a certain time has to be explained.

16525. Do I understand that a District Judge recruited from the Indian Civil Service would be better qualified to discharge those duties than a District Judge recruited from the Bar?—A District Judge who had had a certain amount of training in the executive would have learned how to do these duties. The District Judge recruited from the Bar would know nothing about it and have to learn all about it and probably would not have time to do it. It is purely office management really.

16526 (*Mr. Bompas.*) You have been on special duty examining into this question, have you not?—Yes.

16527. Have you had any definite scheme put before you for recruitment from the Bar as to age, method of selection, etc., and generally a concrete scheme for recruiting District Judges from the Bar?—No; I have not had any concrete scheme.

16528. You were asked by members of the Commission what you meant by a Judge looking further than his immediate decision. Do I understand you to mean that questions of law are not like sums in arithmetic, that there are very many moot points?—Yes.

16529. And that it is advisable that a Judge should know the full effect of his decision on those moot points?—That is exactly what I meant.

16530. Its effect on the whole population?—That is exactly what I meant.

16531. (*Mr. Mukherji.*) Do not you think that any considerable training at the Bar inclines a man to take more one side of a case, whereas a Judge has to consider both sides?—I am inclined to think it does; I believe it will have that tendency.

16532. (*Mr. Sen.*) You are a District Judge of one of the heaviest districts in Bengal in the number of suits that are instituted?—I believe it is one of the heaviest.

16533. There is an Additional Judge there for the greater part of the year?—Yes.

16534. And three Subordinate Judges and 16 Permanent Munsifs?—Yes.

16535. But still the staff there is overworked and you have had to apply frequently to the High Court for the employment of additional officers?—I have had to apply from time to time for additional officers certainly.

16536. As a matter of fact additional officers are from time to time appointed in that district in order to clear up the heavy accumulation of arrears?—Yes.

16537. Are you aware that the complaint is general in Bengal that the Provincial Service judicial officers are as a class overworked, and that the entire staff requires strengthening?—No. I cannot say that. I think most people complain of overwork.

16538. I think you are aware that more than 50 per cent. of Munsifs appointed from 1907 to 1911 are M. A., B. L.'s and several of them have passed the B. L. examination in the first division?—I have not worked out the actual figures.

16539. But a large number of them are M. A., B. L.'s, and many of them have passed in the first division?—Yes.

16540. Do not you think that if District Judges were recruited from Barristers and Vakils it would cause serious discontent to the members of the Indian Civil Service and of the Provincial Service?—If you take away the listed posts from the Provincial Service it certainly would cause serious discontent I think, and I presume that if you take away the District and Sessions Judgeships from the Indian Civil Service it would also cause discontent.

16541. Do you not think that if any such system is introduced it will be prejudicial to the recruitment of the best men as Munsifs?—I think it probably would.

16542. You have already stated that on account of the impending division of the cadre of the Provincial Judicial Service between Bengal and the province of Bihar and Orissa there has been a dissatisfaction amongst the Provincial Judicial officers in Bengal? Do you know that the ratio of Sub-Judges to Munsifs in Bengal is one to 5·83, and in Bihar and Orissa it is one to about 3·9?—Yes, I believe those figures are correct.

16543. So that unless all the grades of Munsifs and Sub-Judges in Bengal are entirely readjusted and the average monthly income of a Provincial Judicial officer in Bengal is made equal to that of the Provincial Judicial officer in Bihar and Orissa, the present serious discontent in the Bengal Service will continue?—It probably will.

16544. As you have recommended a time-scale system of promotion, do not you think it should be introduced in such a way that Munsifs may get Rs. 500 as salary before the age of 40?—That is purely a financial question for the Government.

16545. At present they reach Rs. 500 at the age of about 48. In the interests of the service would it not be desirable that recruitment should be such that they should get Rs. 500 at about the age of 40?—I am not prepared to answer that question; it is more a financial question for the Government to consider.

16546. Do not you think it is desirable that the system of recruitment should be such that a Munsif may have a fair chance of becoming a Sub-Judge at or before he attains the age of 40 or 45? At present he is not appointed before 48 or even 50?—That depends entirely on the number of people who retire from the office of Sub-Judge.

16547. By the scheme which you propose a man will be able to become a Sub-Judge at or about the age of 45?—Yes. I cannot say exactly how it will work out in practice, but it will be somewhere between the ages of 42 and 45.

16548. You think it would be preferable that they should be Sub-Judges at the age of 44 or 45?—Certainly, I think so.

16549. In Bengal, Magistrates appointed from the Provincial Service get exactly two-thirds of the pay of Magistrates belonging to the Indian Civil Service, while District Judges appointed from the Provincial Service get less. Do not you think that is an anomaly which should be removed?—Yes, I think it should be removed.

16550. In answer to question (41) you say that if it is not thought advisable to alter the present age-limit of Munsifs then it is desirable that there should be some relaxation of the rule requiring 25 years to qualify for a full pension. Would you put the figure at 22 years?—I am not prepared to give any figure. I merely propose to relax the rule in the case of those officers who are unable to earn their full pension on account of the 25 years' rule. In their case the rules should be relaxed.

16551. Is it not desirable that Munsifs should be appointed Assistant Registrar of the High Court, Personal Assistant to the Legal Remembrancer and Judicial Secretary to the Government, and Registrar of Presidency Small Cause Court?—If they are fitted for the posts, certainly. I see no objection if they are fit for the posts.

16552. That is to say, if there is any Munsif or Sub-Judge fit to be appointed, he may be appointed?—Yes, I see no objection to it.

16553. Could not a Judgeship in the Presidency Small Cause Court be specially reserved for members of the Provincial Service?—I am not prepared to fetter Government in any way on that point. I leave it to the discretion of Government entirely.

16554. Do you think it is a good training for Munsifs to work as Settlement Officers?—I think it is a very good training.

16555. Should not Munsifs be allowed to combine privilege leave with vacation?—No, I do not think so. I am not prepared to recommend that.

16556. Do you know that litigation is steadily increasing, and that there is an enormous surplus every year out of civil litigation?—I believe so.

16557. (*Chairman.*) Would you be good enough to put in the proposals which the High Court is making for improvement in the organization of the Judicial Branch of the High Court?—*Yes, and I will put in the figures showing the results of the work.

(The witness withdrew.)

RAI BAIKUNTHA NATH SEN BAHADUR, B.L., Vakil and Zamindar.

Written answers relating to the Indian Civil Service.

16558. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have been enrolled as a Vakil of the High Court of Judicature at Fort William in Bengal and have been practising at the Bar since March 1864, and have come in contact with a large number of members of the Indian Civil Service holding different posts. Theoretically speaking, *i.e.*, in principle, the working of the system of recruitment by open competitive examination in England for the Indian Civil Service is satisfactory, but in practice the present system of recruitment is defective and unsatisfactory.

16559. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system is faulty in many respects regarding details. I shall enumerate some of them:—

(*i*) The syllabus of subjects and marks prescribed for the open competitive examination operate to the prejudice of candidates who are "Natives of India" as defined by Government of India Act, 1870.

(*ii*) The place where the examination is held, *i.e.*, London, does not afford equal facilities for examination to "Natives of India" and other natural-born subjects of His Majesty. On the contrary, the exclusiveness of the seat of examination is a great obstacle—nay deterrent, to Hindu "Natives of India" and those who are not in affluent circumstances.

(*iii*) European natural-born subjects of His Majesty, after success in the competitive examination, receive no training in India before their appointment, regarding the customs, manners, habits, character and social rules of the Indians, and consequently their efficiency in the discharge of their duties, both as a judiciary and an executive officer, is prejudicially affected.

(*iv*) European natural-born subjects of His Majesty, after success in the competitive examination, do not receive an adequate training in the laws of the land, where they will have to administer the said laws and, therefore, in the generality of cases, with noble exceptions, the District Judges do not attain that degree of proficiency in the construction and application of laws in concrete cases, which is desirable and expected and which is found in the majority of Subordinate Judges.

I would therefore beg to suggest the following alterations:—

(*a*) Besides the 38 subjects in which the competitive examination takes place, including the Italian, German and French languages, Persian ought to be included as a subject. I would suggest the omission of Italian and German languages and substitute Pali and Bengali. As regards the marks, Sanskrit and Arabic ought to be on a par with Latin and Greek.

(*b*) The seat of examination should not be restricted and limited to London. Simultaneously with the examination in London, there ought to be an examination on the identical questions in another place in British India. Calcutta would be the most suitable place. I am not in favour of simultaneous examinations in more centres than one in India.

I propose to deal with the question of simultaneous examinations in India and in England with more details, when recording my answer to question (6).

16560. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system of recruitment is *not* equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty. The alteration I recommend will be found in my answer to question (6).

16561. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—My answer is in the negative. Some of the subjects which are included in the syllabus are not required for the Civil Service and some subjects which are necessary for the Civil Service are excluded. Hence the combination is not to the advantage of Indian interests.

16562. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—(*a*). In my opinion, open competitive examinations for appointment to the Indian Civil Service should be held simultaneously in England and India, such examinations being identical in their nature, and all who compete being finally classified in one list according to merit.

(*b*) I recommend the imposition of a condition, after the passing of the open competitive examination and before the final examination, viz., that every candidate who passes the examination in India must proceed to England and get a further training in some educational institution and study the habits, manners, customs, character and social rules of Englishmen, and that every candidate who passes the examination in England must come to India and get a training in some educational institution and study the habits, manners, customs, character and social rules of India. The probationary period in both cases should be two years.

(*c*) I beg further to recommend that the candidates, after the probationary period and the final examination, should be appointed for the Executive Branch of the Civil Service only and not the Judicial Branch.

(*d*) The members of the judicial branch of the Civil Service should be recruited from the legal profession confined to Barristers, Advocates and Vakils of proved ability and merit of a certain standing, and some District Judgeships should be filled up by promotion of Subordinate Judges.

(e) Sessions Judgeships and Assistant Sessions Judgeships should be filled up from amongst Public Prosecutors, who are Vakils of a High Court of proved ability and merit, in the first instance; appointments to those may be also made from amongst Barristers, Advocates and Vakils, who have large experience in the conduct of criminal cases. I am not in favour of Subordinate Judges being appointed to the post of Assistant Sessions Judges. In view of the policy of Government in respect of the appointment of the Indian subjects of the British Empire to higher posts as enunciated by the Statute of 1833 and the Proclamation of 1858 of Her Most Gracious Majesty Queen Victoria, and the advance which has been made by the Indians generally and the Bengalis in particular in education, mental and moral, and formation of character, the introduction of simultaneous examinations in England and India of an identical nature without any differentiation in any respect, is not only a just measure but one which has now become an absolute necessity. To keep the people contented and to satisfy their just aspirations, the introduction of the system of simultaneous examinations would be a measure of wisdom on the part of Government and would, to a certain extent, go to redeem the pledges which have been on many occasions made by Government. If the Government pays proper regard to the promises held out and pronouncements deliberately made by Her Most Gracious Majesty Queen Victoria and His late Majesty Edward VII and His Majesty the King-Emperor, there is no other alternative but the introduction of the system of simultaneous examinations. Arguments which have been urged by interested persons against the simultaneous examinations are based chiefly upon erroneous data, and are adduced with the object of securing a very large proportion of the higher appointments for Europeans and practically excluding, or at least minimising, as much as possible, the holding of such appointments by the "Natives of India." Defect in moral character, power of physical endurance, administrative efficiency and the like, and an apprehension of Europeans being swamped by Indian competitors, are the stereotyped arguments and objections put forward by interested parties. But these are not borne out; on the contrary, refuted by stubborn facts. Mere mention of the names of Sir K. G. Gupta, Messrs. R. C. Dutt, B. L. Gupta, S. N. Tagore and many others, who entered the Civil Service through the open competitive examination in England, ought to be considered sufficient. The European mercantile community, as far as I know, is not in favour of simultaneous examinations. The wish of the community is very natural. That community would certainly like to capture all markets for maintaining a monopoly of their mercantile articles and it would, therefore, from philanthropic and sympathetic considerations, wish to secure the loaves and fishes for their kith and kin and leave the bones and crusts to the children of the soil. The apprehension of that community of a diminution of flow of foreign capital is based upon purely imaginary grounds. In this connection I need also refer to the 1886-87 Public Service Commission. More than 25 years have passed away since the investigations made by that Commission. Can anyone deny, with any amount of justice, that, within this quarter of a century, India's forward march towards progress and advancement, development in different branches of knowledge and researches, games and sports, is marvellous and most creditable to Government? The discoveries made by men like Messrs. J. C. Bose, P. C. Roy, B. N. Seal and others would do credit to anyone in the world. The state of things has changed and adaptation to circumstances ought to be the principle to be accepted under existing altered conditions. The report of the Public Service Commission, 1886-87, has lost its value and, it is to be hoped, will not in any way, mislead the present Royal Commission.

16563. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not at all in favour of a separate examination in India or separate examinations in each province or group of provinces for filling up the Indian Civil Service cadre by "Natives of India".

16564. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—My answer to the queries in this question is in the negative.

16565. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I do not recommend any system of selection of "Natives of India" either in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service. As regards appointments in the Executive Branch of the Provincial Service, I would insist on competitive examination, altogether abolishing the system of appointment by nomination.

16566. (11) Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—Answer to this question has been recorded in my answer to question No. 6.

16567. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—Persons of "unmixed European descent" ought not to be included in the term "Natives of India."

16568. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination giving your reasons?—Twenty-one, as that age would enable candidates to take University degrees before appearing at the open competitive examination.

16569. (14) What, in your opinion, is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-three years.

16570. (15) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India" and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India", and for other natural-born subjects of His Majesty?—I would make no differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty.

16571. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—My answer is to be found in my answer to question (2).

16572. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are "Natives of India" and other candidates? If so, state them and give reasons.—My answer is in the negative.

16573. (18) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons?—My answer is in the negative.

16574. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? My answer is in the negative.

16575. (20) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—My answer is in the negative.

16576 (21) Do you consider that the old system of appointment of "statutory civilians," under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—If simultaneous examinations in England and India be held, then it will not be necessary to revive the system of appointment of "statutory civilians" under the Statute of 1870. If, however, simultaneous examinations be not introduced, then "statutory civilians" might be recruited by competitive examination.

16577. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The system by which certain members of the Provincial Civil Service can be appointed to listed posts, in my opinion, is not satisfactory. When Subordinate Judges are promoted to the posts of District and Sessions Judges, as a rule, they are so appointed shortly before their retirement on account of age. Their inexperience in criminal cases and advanced age stand in the way of efficient discharge of duties. As regards promotion of members of the Executive Branch to the posts of District Magistrates, a great deal depends upon the good graces of Government and so the officers of the Executive Branch, generally speaking (of course with noble exceptions), lack in independence and in the discharge of their duties according to the dictates of their conscience, and the system has a demoralizing effect on the whole cadre of this branch of the Service.

16578. (25) Are you satisfied with the present rule which prescribes that "Natives of India," other than members of the Provincial Civil Service or statutory civilians, may be appointed to one quarter of the listed posts?—My answer is in the negative.

16579. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Answer is to be found in answer to question (6).

16580. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Answer is to be found in answer to question (6).

16581. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I consider differentiation is necessary between the course of study for probationers who are "Natives of India" and who pass the competitive examination in India and the course prescribed for other natural-born subjects of His Majesty who pass the competitive examination in London. If simultaneous examinations be not held in England and India, then I do not think any differentiation is necessary between courses of study for the two classes of probationers.

16582. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of "Natives of India" and of other natural-born subjects of His

Majesty?—My answer to this question is covered by the answer given to question (6).

16583. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—My answer is in the affirmative.

16584. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I think it is desirable.

16585. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am not satisfied with the present arrangements for the training of the junior officers of the Indian Civil Service after they have taken up their appointments. In my humble opinion, a junior officer should not be kept in the Sadar for a long time and merely sit with a brother officer in the Bench or in some office of some department to see how work is done there, but he should be deputed to some places near a police-station at certain intervals. He should camp there and study the work which is carried on in the police-station and take notes. While there, he should try to study the work of the village unions and get himself acquainted with the people of the locality and acquire knowledge of local conditions. If the officer be mindful of his duties, he will be able very soon to get a mastery over the colloquial language. He will easily be able to get an insight into the working of the Police, the Excise, Revenue, Income-tax, Cesses and other departments and not only acquire knowledge of those departments but also of the sanitary conditions of the localities. A preliminary training of this sort for a year or even six months would prepare that officer for acquisition of higher knowledge in other important matters which he will have to handle later on. He should next be entrusted to help senior officers in the Sadar in the discharge of their manifold duties connected with the offices of the different departments, notably:—(i) Treasury, (ii) Cesses, (iii) Certificates, (iv) Income-tax, (v) Khas Mahal, (vi) Excise, (vii) Land Registration, (viii) Arms Act, and (ix) Registration of Deeds.

If his duties be not confined to executive work (as suggested by me), but if he has to do judicial work also, then he should, in the first instance, be made to attend the court of the officer who receives complaints and observe the proceedings of the court for a short time, after which the officer should be entrusted with the trial of petty cases and he should also be placed in charge of some departments.

The Head District Officer, *i.e.*, the District Magistrate, should be impressed with the idea that it is not only his moral but legal duty to train up the young officer, and for that purpose he should enjoin on him certain studies, technical and general, and satisfy himself about the progress. In the head quarters, the young officer should be allowed opportunities—nay encouraged—to mix with Indian gentlemen and young men of position and, if available, join their clubs. This sort of training under the control of the District Magistrate, I feel sure, will develop faculties, habits and character in the young officer, which will in future be highly beneficial to him, to the State, and to the people at large.

16586. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—I consider that there has been a deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. The chief cause, to my mind, is that the candidates—natural-born subjects of His Majesty—who appear in the competitive examination in London, generally do not take up Indian languages as their subjects, there being a difference in the number of marks allotted to Indian languages. I am not satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages. This may be remedied, I think, by insisting on a proper study of the Indian languages during the probationary period.

16587. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial Branch?—All officers should be periodically examined, for a certain number of years, in special and local laws, and the Criminal law, Revenue law and the law of Evidence, but officers selected for the judicial branch should undergo similar examinations in the whole of the Indian Laws.

16588. (47) Turning now to the case of the statutory civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I do not approve of the arrangement by which statutory civilians and members of the Provincial Service holding listed posts drawing approximately two-thirds of the pay drawn in the same posts by members of the Indian Civil Service. The pay ought to be same.

16589. (49) Have you any proposals to make in regard to the leave rules applicable to statutory civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—It is not desirable that there should be separate sets of leave rules for statutory civilians and members of the Provincial Civil Services holding listed posts and officers of the Indian Civil Service.

Written answers relating to the Provincial Civil Service.

16590. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—In considering the Government of India Resolution No. 1046—1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, I beg to submit that two essential principles are involved in the Resolution: (i) due representation in the public service of the different classes of the community, and (ii) a standard of general education with reference to local conditions. The question arises whether, for the purpose of recruitment, it is necessary to secure representatives of different classes of the community, and whether any differentiation in the standard of education is required. Members of the Provincial Service, whether in the executive or judicial branch, have to discharge their duties according to law and the dictates of conscience, interests of all classes are equally in their charge and it should not be presumed that these officers would sacrifice the interests of one class for the sake of the interests of another class. The condition for safeguarding the interests of different classes of the community seems to be unnecessary and its operation has a distinct tendency to the deterioration of the Service. Then, as regards standard of general education on local conditions means different standards to be fixed by Government with reference to local conditions. In the first place, this leads to the entry of men with a lower standard of education, directly prejudicial to the Service, and it has a tendency to diminution of energy and exertion for advancement and progress in education on the part of some classes or residents of some localities. On the other hand, if no differentiation in the standard be made, there would be a stimulus for educational progress and advancement. A temporary loss of some appointments by a particular locality would in the long run prove a permanent good.

Then, the Resolution further lays down that "admission to the Provincial Civil Service should usually be confined to persons who are natives of the province or have definitely settled in it." This restriction is undesirable, if best and fittest men be intended to be admitted to the Service. The more enlarged the sphere of selection, the greater is the chance of efficient and able men coming in. For the interests of the Service and of the Government it is desirable that this restriction should cease to exist. If any particular province is backward in education, the removal of the restriction would necessitate the general improvement and advancement in education of the province, whereas the province would lag behind in the march of progress, if special concession be allowed to it. Fairness and no favouritism ought to be the principle for recruitment.

16591. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—The rules for the recruitment of the Provincial Civil Service in force in this Presidency (Bengal), so far as this judicial branch is concerned, are fairly suitable, though there is room for improvement. But as regards the executive branch, I do not consider them to be suitable. I would recommend the appointments in the executive branch to be made from amongst University graduates by competitive examination and not by nomination as a rule. The Government may, if it likes, reserve for itself power to nominate a very small proportion of the number to be appointed, say, one-tenth. Personal qualifications, talent and merit ascertained by competitive examinations ought to be the criteria for appointments Adventitious qualifications of caste, birth, riches and social position ought not to be considered as factors for the determination of appointments in the Service; these should be considered as negligible matters. Competitive examination was abolished and rules laid down for annual appointments by Bengal Government Notification No. 3532 A., dated the 6th August 1904, then by further notification of the Bengal Government No. 1609, dated the 10th June 1909. And as matters now stand, certain number of appointments are made on the nomination of Divisional Commissioners, certain appointments are made by promoting from subordinate service, *i.e.*, Sub-Deputy Collectors, and some on nomination by the Syndicate of the University and some by Government as special cases. The poor meritorious graduate, without any influential relation or friend to back him, has no chance of entering the Service. In the nomination by the Divisional Commissioners and the Syndicate of the University, I regret to say there is a great deal of favouritism; merit and talent do not ensure nomination. The nominations brought about by various methods have a demoralizing effect on the nominee and the degradation of the friends and relations of candidates is such that no man having any self-respect ought to submit to it.

16592. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I consider that all classes and communities are duly represented in the Provincial Civil Service of this Presidency. In my humble opinion, it is not essentially necessary that all classes and communities should be represented in the Service. If there be non-representation or inadequate representation of any class or community, the Service itself will not suffer, but the grievances of that class or community would disappear within a comparatively short period by exertions and efforts for educational progress which would of necessity have to be made by the said class or community.

16593. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I am not fully satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service. The Munsifs and Subordinate Judges, officers of the judicial branch of the Service, ought to acquire experience in the trial of criminal cases, if Subordinate Judges are to be permitted to hold the office of a District and Sessions Judge. First-grade Munsifs and Subordinate Judges, therefore, ought to be vested with powers to try criminal cases. Similarly, members of the executive branch from the fourth grade, who have to do judicial work, should be vested with powers to try some civil suits.

16594. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I do not consider the numbers of officers authorized for the various grades of the Provincial Civil Service are satisfactory. From the Quarterly Civil List of Bengal corrected up to 1st October 1912, of the total number of Subordinate Judges, 43 only, 6 were in the first grade and 12 in the second. Of the second-grade Munsifs, 33 have been given powers to try cases up to Rs. 2,000 without any allowance being given to them; these Munsifs do at least eight Subordinate Judges' work. I would therefore beg to suggest that the number of Subordinate Judges be increased by ten more and that the number of first and second-grade Subordinate Judges be doubled. According to existing arrangements, very few reach the first grade, and that only a short time before they retire on account of age. Many have to retire while only Munsifs. An increase in the number of Sub-Judges would give a chance to some Munsifs. As regards the members of the Executive Branch, there are five in the first-grade and seven in the second, the percentage being 1·7 and 2·2 respectively. The numbers in the first and second grades ought to be increased, and the Sub-Deputy Magistrates and Collectors ought all to be made Deputy Magistrates and Collectors by abolishing the Subordinate Service.

16595. (57) To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—The functions of the officers of the executive and judicial branches are not differentiated to any appreciable extent. The judicial and executive functions ought to be separated entirely. When appointments of Deputy Magistrates take place, these officers, who would have to discharge duties of a judicial officer in criminal cases, should be appointed as such special officers and would be placed under the direct control of the Sessions Judge; other officers who would have to be entrusted with executive functions should be under the direct control and supervision of the District Magistrate.

16596. (58) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I do not attach much importance to name; but if any change in the name be decided upon, I would suggest "Indian Judicial and Executive Service" instead of "Provincial Civil Service".

16597. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualificaions in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay and grading in the Provincial Civil Service of Bengal are not adequate, in my opinion, to secure desired qualifications in the officers appointed. In the first place, the pay of the first grade in both branches of the Service (judicial and executive) ought to be the same, with necessary changes in the other grades. The pay of the last grade of Munsifs and Deputy Magistrates ought also to be the same, *i.e.*, Rs. 250. The rates of pay were fixed about half a century ago and, with the present high prices of articles of food and other necessaries and the necessity for larger expenses which have to be incurred by members of the Service in educating and marrying their children, it would be an act of bare justice if the scale of pay be changed and rates fixed according to altered circumstances.

16598. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I have already recorded my views regarding this question in answer to question (47).

16599 (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I have already recorded my viwes regarding this question in answer to question (51).

Rai Baikuntha Nath Sen Bahadur called and examined.

16600. (*Chairman.*) You are a vakil and zamindar?—I am.

16601. Have you ever occupied positions in the Public Service?—No.

16602. You are in favour of simultaneous examinations in India?—I am.

16603. And you do not consider that a minimum proportion of European subjects should be employed in the higher posts of the civil administration?—That is so.

16604. Do you consider that the British character of the Indian administration should be maintained?—Yes.

16605. Can you tell us how you would assure in the future that the British character should be maintained with a system of simultaneous examinations?—The competitive examination is no test of character; it is a test for efficiency only, and I maintain that even if Indians do come in in large numbers, still the

British tone of the administration would be equally maintained.

16606. You think that however many Indians are in the administration the British tone would be maintained all the same?—Yes.

16607. You appear to be in favour of open competition not only for the Indian Civil Service, but for the Provincial Civil Service as well?—Yes.

16608. What are your objections to the present system of recruiting to the Provincial Civil Service?—There is no room at present for meritorious poor graduates of the Calcutta University, who are not backed up by influential friends or relatives, entering into the Service.

16609. Do not meritorious graduates find their way into the Provincial Civil Service under the present system?—A few only. According to present arrangements the University recommends only three.

16610. You do not think the present recruits to the Provincial Civil Service are meritorious?—They are in one sense meritorious, but more meritorious people would come in.

16611. You would get people who were more meritorious?—Yes.

16612. You would include Pali and Bengali in the syllabus of the open competition?—Yes.

16613. Why do you select those in preference to other Indian vernaculars?—Some others also might be included.

16614. You would not regard those as uniformly suitable for the whole of India?—No.

16615. You suggest that 21 should be the age for the open competition?—Yes.

16616. And you do so on the ground that this would enable the candidates to take their degree before competing?—One can appear at the Matriculation examination at the age of 16, and at least four years would be required for graduating.

16617. I suppose you do not know the conditions of graduation in an English University?—No.

16618. You say in answer to question (21) that if simultaneous examinations are not instituted, you would recruit statutory civilians by open competition?—Yes.

16619. Would this examination which you propose be for all India, or would you have it in provinces?—I propose it for all India.

16620. One single examination?—Yes; a competitive examination. I would beg to invite the attention of this Commission to a resolution of Sir Steuart Bayley in 1889 in conection with the competitive examination. He was Lieutenant-Governor of Bengal, and recorded a resolution giving a history of competitive examinations for recruiting members to the Provincial Civil Service. It is to my mind a complete literature on the subject. When Lord Curzon by his resolution and Sir Andrew Fraser by his resolution abolished the competitive system, it was strange that that resolution was not even noticed.

16621. You are strongly in favour of open competition?—Yes.

16622. Do not you think it would be necessary to have a certain amount of recruitment of the Provincial Civil Service by means of nomination?—I have suggested at the most one-tenth, that Government might retain the power of nominating to the extent of one-tenth.

16623. You think that proportion would allow of sufficient representation of the various communities and backward races?—It may or may not do.

16624. I want to know your opinion on that?—It may not be the representation of all classes and communities by nomination by Government of two members only.

16625. You do not regard the representation of all the communities as so important as having open competition?—I do not consider the representation of classes and communities and localities as essential for the improvement of the service itself.

16626. Do you think it would be regarded in the same light by all communities?—Some people perhaps may not like it at present, but within a few years they would come to like it, because it would give an impetus to the advancement of their education. In this connection I beg permission to draw attention to certain statements which were placed on the table by the Bengal Government.

16627. Does it bear on the questions I have asked you?—Yes.

16628. In what way?—With regard to the representation of localities and the power which the Government will have to nominate.

16629. I do not think I desire to hear quotations from other authorities. I am merely asking you your opinion.—I was only drawing the attention of the Commission to the statements.

16630. In your answer to question (37) you say that officers of both branches should be examined in legal subjects for a certain number of years after having joined the service. How many years?—I should suggest four or five years.

16631. An examination every year?—No, not an examination every year.

16632. You would have an examination at the end of the fifth year?—Yes.

16633. Do you think an examination of that character might interfere with the administrative work of the officer?—I do not think it would.

16634. You think that with all the work he has before him he would be able to find time to work up for an examination as well?—I think so, just as young members of the Civil Service as well as members of the Provincial Service now undergo their departmental examinations.

16635. In answer to question (55) you say that officers of the judicial branch should try criminal suits, and that officers of executive branch should deal with civil suits.—Yes.

16636. Would this change you propose necessitate any increase of staff?—No, it would not. It was once in practice for a short time.

16637. And in your judgment a rearrangement can be made without the addition of any staff?—Yes.

16638. (*Lord Ronaldshay.*) Did I understand you to tell the Chairman that if the Provincial Civil Service was recruited by competition more graduates would get into the Service than are there now?—Yes.

16639. Is it not a fact that before a man can be appointed to the executive branch of the Provincial Service he must be a graduate under the present rules?—But unfortunately many persons who have not got University titles have been appointed.

16640 Are you aware that Rule 8 of the Bengal Regulations says: "The indispensable qualifications for a candidate for appointment by recruitment are, in the first place, that he is a natural-born subject of His Majesty or of a Native State, in the second place, that he is not under 20 or over 25 years of age, in the third place, that he is of good character, and, in the fourth place, that he is a graduate"?—I am aware of that.

16641. If every candidate must be a graduate now, I do not understand how you are going to get more graduates into the service by any other system?—There are graduates and graduates. There are M. A.'s, B.A.'s, B.A. (Pass), B. A. (Honours) I may mention that in 1905, 1906, 1907, 1908 and 1909 there were 39 persons appointed without any University qualification. In 1905 there were 8, 1906, 16, 1907, 5, 1908, 5, and 1909, 5.

16642. But those were no doubt special appointments and do not affect the general rule which says that a man must be a graduate before he is appointed to the Service?—There is the rule, and the rule must be observed.

16643. You say that the present system of recruitment to the Indian Civil Service is unsatisfactory in certain details, and that one of those details is that the English recruits get no training in Indian customs, manners, and so on, and in order to remedy that you suggest the English recruits should come out for training at some educational institution in India, where they would study the habits, manners, customs, character, and social rules of India. Are all these things to be taught by professors, or how is instruction in these matters to be given to recruits?—By association and study, just as I have suggested. Those who pass in India at the simultaneous examination should go over to England and be taken into some University or Institute and learn the habits, manners and customs of Englishmen.

16644. Your suggestion is that the English recruits should come out to an Indian University?—Yes.

16645. For how long—a couple of years?—A couple of years is the probationary period in both cases. It may be, if there is a special college, as is suggested by one of the questions, for training such recruits, they might be admitted there and obtain the requisite knowledge by mixing with the people there.

16646. If it is a special college for the English recruits, they will not get the advantage of mixing with the people?—There would be various ways of mixing with the people; they could mix with them in clubs and in society.

16647. Do not you think they can mix with them much better by going into the districts and going through their period of training under a district officer rather than being collected together in one institution?—That is also one of my suggestions, when they are actually appointed. This is the probationary period.

16648. (*Sir Theodore Morison.*) I want a little information about your answer with regard to languages. You have suggested the omission of Italian and German from the syllabus?—Yes.

16649. And you would substitute for them Pali and Bengali?—Yes. I have mentioned those, but I do not confine myself to them. There are Gujarati, Marathi and Tamil.

16650. Would you allow a resident of Bengal to take up Bengali in the examination?—A special rule might be made not to allow him to take Bengali.

16651. That is to say, it would be open to a Bengali student to take Bengali?—Bengali students will have to undergo examination in English, which is a foreign language to them, though it is the mother language of the English candidates, who can take English for their subject. But I would not insist upon Bengalis being given the privilege of taking up Bengali as a subject.

16652. So that the Indian vernaculars which you would add are to be taken up by persons whose mother-tongue they are not?—Yes.

16653. You propose to take out Italian and German, and therefore the representation of European culture will be left to French. The English student may take up Latin and Greek and French?—Yes.

16654. Do you wish the Indian student to take up Sanskrit, Bengali, Pali or any other Indian vernacular?—Yes.

16655. And they are to be marked the same?—Yes.

16656. So that as I work it out the English student can get a total of 1,600 marks and the Indian student can get 2,100 marks. Now you have added the vernaculars he might get a good many more marks?—That might be regulated by permission given to the Indian candidates to take up these vernacular subjects to a certain limited extent.

16657. You would limit it in that way?—Yes.

16658. You know Bengali, of course; are you able to institute a comparison between the literature of Bengali and these other languages which you would substitute? Can you give us your opinion as to the relative values of the literatures of India and Germany?—Not of Germany.

16659. (*Mr. Gokhale.*) You have been a member of the Bengal Legislative Council?—I have.

16660. How long were you a member?—Five years. I was on the Council for two sessions.

16661. And you were connected with the Municipality of Berhampur, were not you?—Yes. I was Chairman for nine years.

16662. Were you ever on the District Board?—I was in the District Committee.

16663. You prefer competition to nomination?—Yes.

16664. Even for the Provincial Civil Service?—Even for the Provincial Civil Service.

16665. Because, although there is a provision that the men nominated should be graduates, in your opinion the best graduates are not obtained that way?—That is so.

16666. And the better the men you can get into the service, the better?—Yes.

16667. (*Mr. Madge.*) In answer to question (35) you say that the district officer should be impressed with the idea that it is not only his moral but legal duty to train up the young officer. If you mean apart from the training that every Collector does give to his assistants, do not you think that every officer would have to have something of the intincts of a schoolmaster, as they give as much training as they can already?—They certainly do give a training, but they do it as a moral duty, and I would have something more than that from the head of a district.

16668. You are not satisfied with the present system?—I am not satisfied.

16669. (*Mr. Bompas.*) You have given figures showing that considerable numbers of officers were appointed to the Provincial Service without having graduated in certain years. Do you think those were chiefly men who were promoted from the Subordinate Service?—No, these were appointments made, not promotions.

16670. (*Mr. Mukherji.*) You would have a competition for the Statutory Civil Service?—Should no simultaneous examinations be held, I would have Statutory Civil Service examinations by competition.

16671. As you are in favour of competition out-and-out in all these services, why do you reserve one-tenth for Government nomination?—For the dignity and prestige of the Government.

16672. (*Mr. Sen.*) You are a pleader in the Murshidabad district?—I generally practise there, but I practise in many surrounding districts.

16673. But your practice is mostly confined to the district of Murshidabad?—Yes.

16674. You say in (*e*) in your answer to question (6) that you are not in favour of Subordinate Judges being appointed to the posts of Assistant Sessions Judges. Is it not a fact that in Murshidabad, where your practice is largely confined, it has not been found necessary, within the last 20 years, to invest any Subordinate Judge with the powers of an Assistant Sessions Judge?—Yes.

16675. Will you please look at this document, a report of a debate in the Bengal Legislative Council on the Provincial Judicial Service, in which I find you said. "For the purposes of judicial administration the judicial officers have a voice and the public have a right to expect that these officers should be adequately paid." I understand you meant to say that the Provincial judicial officers as a class were not sufficiently well paid?—Certainly, I do think that.

16676. And therefore you recommend a time-scale to remove this difficulty?—Yes.

(The witness withdrew.)

Adjourned till to-morrow at 10-30 A. M.]

At Calcutta.

Thursday, 30th January, 1913.

SIXTEENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
SIR VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.

ABDUR RAHIM, ESQ.
GOPAL KRISHNA GOKHALE, ESQ., C.I.E.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, ESQ., I.C.S., Chairman of the Calcutta Improvement Trust.

SARODA PRASAD SEN, ESQ., Additional Sessions Judge, Sylhet.
RAI BAHADUR PRIYA NATH MUKHERJI, Inspector-General of Registration, Bengal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. } *Joint Secretaries.*
R. R. SCOTT, ESQ }

R. B. HUGHES-BULLER, ESQ., C.I.E., I.C.S., Inspector-General of Police, Bengal.

Written answers relating to the Indian Civil Service.

16677 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—On the whole, I consider that the system is fairly satisfactory in principle.

16678 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I am inclined to the opinion that under the existing system, while obtaining men with British traditions, we do not always get those who are liable to turn out genuine rulers capable of guiding the destinies of men. Men are required who possess not only courage but decision of character and habits of thought and qualifications suitable for governing men, and I have known instances in which these characteristics were entirely wanting in candidates recruited by competitive examination.

16679 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty?—My answer is in the affirmative.

16680 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty?—I see no reason for any such differentiation.

16681 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I understand that the age of admission to the Indian Civil Service was raised from 21—23 to 22—24 in order to combine the examination for the Home and Colonial Civil Services. I consider the age 22—24 to be too high, and to this extent, therefore, the combination of the competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is to be deprecated; that is to say, the most suitable age for obtaining men for the Indian Civil Service should be the governing factor and not the possibility of combining examinations.

16682 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise; (*b*) Selection by authorities in Universities approved or otherwise; (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (*d*) Combined nomination and examination, and (*e*) Any other method?—As British rule in India is based on the qualifications of its officers, that is to say, on their coolness of decision and rapidity in action, combined with intelligence, integrity and impartiality, I consider that regard should be had to such qualifications in selecting candidates for employment in India. I, therefore, advocate alternative (*d*), *viz.*, combined nomination and examination, as being most likely to be productive of the most suitable candidates.

16683 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I strongly deprecate any system of simultaneous examination in India and in England. In the first place, the introduction of such a system means the abandonment of the principle that it is essential that the British character of the administration should be maintained. Any relaxation of the unity of Government or of its essentially British characteristics would end in chaos. In the next place, open competition has proved unsatisfactory in India. It has led, and would lead, to class and racial animosities, and to the creation of a monopoly in the high posts of Government for a class of *literati* whose knowledge is somewhat narrow and theoretical, and who do not necessarily possess the hereditary or acquired experience of governing. History and experience, on the other hand, show that the British possess the capacity for governing in a high degree. Further, it is likely to lead to the exclusion of all persons drawn from the noble and aristocratic families whom the British administration should do its best to foster. Thirdly, there are practical difficulties, such as the maintenance of the secrecy of the examination and the standard of *vivâ voce.* I also foresee difficulty about obtaining competent examiners in this country for *vivâ voce* examination. Fourthly, I understand that even with the difficulties of simultaneous examination, it is admitted that some training in England is essential for candidates selected in India. This training, if carried out after the competitive examination, would be of little use if it were limited only to a few months or even to a couple of years. The best way to ensure that Indians obtain an adequate idea of Western methods and civilization, is that they should receive a prolonged period of education in England previous to their going up for the competitive examination. Lastly, the introduction of such a system will involve the abandonment of the principle of promotion from the Provincial Service. There is no doubt that promotions from the Provincial Service serve as a great attraction to good officers, and its abandonment should be a mistake.

16684 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India?—I am altogether opposed to the principle of recruitment by separate examination in India.

16685 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service?—I see no necessity for any differentiation.

16686 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vic., c 3), as including "any person born and domiciled within the dominions of his Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only", irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent?—The present definition of a "Native of India" appears to be satisfactory.

16687 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—Only two courses appear to be open: (i) that candidates should be recruited at the usual school-leaving age, and (ii) that they should be recruited at the usual age at which they leave college after taking an honour's course. Any intermediate system is to be deprecated. Subject to the above, candidates should proceed to India at the earliest possible age. I should be inclined to fix the limit of age for the competitive examination at 23 in August preceding the examination.

16688 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—I think the limit of 22—24 is too high. I should say that men who have gone through the honours course of a University are more likely to make good officers than the men recruited under the system enforced from 1878—91, viz., when the age-limit was 17 to 19.

16689 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I would refer to my answer to questions (1) and (2). I am not prepared to say that the class of men recruited in all cases is suitable.

16690 (18). What is the most suitable age at which Junior Civilians should arrive in India?—I think that the best age at which a man should come to India is about 24. He is then mature and possesses the qualifications brought out by a University career and should not be too old to preclude his adapting himself to a strange country.

16691 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—The principle quoted appears to me to be sound.

16692 (22). Is any differentation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—No differentiation appears to be desirable.

16693 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict c 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54) and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions]?—Yes. I consider that certain posts should continue to be reserved for officers recruited for the Indian Civil Service, and I believe that the schedule of the Civil Service Act, modified so as to bring it up to date, affords a good working rule. It is essential, in my view, that the predominance of the British element must be maintained. What is wanted is not only talent and cleverness but character and resource.

16694 (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I certainly consider that a minimum proportion of European subjects should be employed in the higher posts of the Civil Administration. This is essential if the efficiency and unity of the administration and its motive power are to be maintained, and if racial animosities are to be kept in check. Competent observers already consider that the strain on the European element is at breaking point. My experience in Bakarganj, which is one of the heaviest districts in Bengal, and in other parts of Eastern Bengal, indicates that the number of Europeans is dangerously low. I attribute much of the trouble in Eastern Bengal in recent years to the absence of efficient European administration before 1905. In fact, a fetish has been made of keeping the European element at its lowest. I would draw attention to the entirely different principle followed by the European mercantile firms in this country, which find that the number of Europeans must be increased for the purpose of control in proportion to the increase in the number of native employés. In considering the proportion of posts to which Natives of India might, under the present conditions, properly be admitted, regard must be had to the conditions of each province and no general rule can be laid down. I understand that the proportion of Indians holding posts included in the Civil Service cadre is already the largest in Bengal, viz., about 17 per cent. It is also to be remembered that the proportion of "Natives of India" in the civil services is constantly increasing.

16695 (25). Do you accept, as generally satisfactory in principle, the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I hold that there should be a direct relation between the number of posts held by Indians in the Civil Service and those holding listed posts The only alteration in the system which I have to suggest is that selection for listed posts should take place at an earlier stage than it is done at present. I believe this would be of advantage to the Administration, as at present men are selected for the listed posts when they are nearing the end of their service, and the best work cannot be got out of them.

16696 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on Executive or Judicial duties?—The question is a difficult one to answer. I should be inclined to answer it in the negative. To find an Indian fitted for a high post has hitherto been exceptional, and, so far as I recollect, there are few Civilian "Natives of India" who have risen to the top of the tree or obtained posts in the High Court or in the Secretariat. I think it is arguable that some of the most efficient Indians in the Civil Service have received almost their entire training at Home.

16697 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I see no reason why the system of appointing "Statutory Civilians" should be revived.

16698 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—I should say that officers belonging to the Provincial Civil Service, selected to fill a listed post, have not proved themselves so efficient as members of the Civil Service filling posts of similar responsibility. I attribute this partly to their selection at an advanced age, and partly to the absence of that resource and decision of character which is characteristic of Englishmen. My experience extends to Executive officers only.

16699 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—So far as I have been able to gather from conversation with the recently appointed candidates, I am not prepared to say that the present probationary period in England is of any particular value. I consider that the period should be retained, but that it should be of a different character.

16700 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—I think that the probationary period in England should not exceed one year and that the course to be undertaken by a candidate should be of a practical and professional character.

16701 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—I am inclined to think that during the period of probation, a candidate should be attached to an approved institution for the purpose of discipline and control. Probably, an institution in London would be most favourable.

16702 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I should imagine that the expense of establishing a separate institution in England would be very great and in this view it will probably be better to utilize existing facilities.

16703 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I agree that during the probationary period the studies should be such as to fit candidates specially for their calling.

16704 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—Every candidate should be taught to ride and should undergo a course which will include the study of the principles of law, the law of evidence and attendance at court. I lay great stress on the latter item, as I believe candidates derive great benefit from it. A modified form of the curriculum laid down in note (‡) to appendix VI would appear to be suitable. If the list is considered too long, the first five Acts under the heading "Law of India" might be postponed to the period of training in India. I should be inclined to add the study of Indian History and Geography, and that of a classical language might be optional. I would postpone the study of modern oriental languages until the candidates arrive in India. Candidates not passing should be rejected.

16705 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I have already dealt with (i) and (ii). I think that item (iii) might be postponed until the candidates arrive in India, as also the teaching of Accounts. I have suggested Indian History and Geography for the period of probation at Home. I am doubtful if Political Economy need be taken.

16706 (54). What is your opinion of a proposal to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—I consider that a central college in India for the training of probationers for the Indian Civil Service is out of the question.

16707 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—In view of the experience which we have obtained of police schools at which European Assistant Superintendents and Indian Deputy Superintendents and Probationary Sub-Inspectors are all trained together, but in different courses, I am inclined to the opinion that a central provincial institution, not at a Presidency town, would be of considerable value. The probationers would learn the language of the province and Indian criminal, civil and revenue laws in this institution, and much attention should be given to physical exercises, as has recently been suggested for the students in connection with the University of Dacca. If Probationary Deputy and Sub-Deputy Collectors would be sent to the same institution, I believe that it would be a means of engendering good feeling between the officers, and would be of advantage to both parties. Strict discipline should be enforced, and as every European should know how to ride and shoot, an establishment of horses would have to be maintained and drill should be insisted on. A somewhat different course would have to be prescribed for the Civilian probationers to that followed by the Deputy and Sub-Deputy Collectors, as the latter have not got to study the language The time which the Deputy and Sub-Deputy Collectors thus save could be devoted to history and geography and other useful subjects, such as possibly Ethnography and the study of works on administration. Possibly, they might also study the principles of law which the European candidates would have studied before coming to India. It is possible that a central institution of this kind might also receive European officers selected for other Services, such as the Education and Public Works Departments.

16708 (56). In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I believe in probationers obtaining a preliminary training in the principles of law in England, but I would leave the study of modern oriental languages to their time in India. I agree that there is a lack of good teachers at Indian district head-quarters, but this difficulty would be overcome if my suggestion for the establishment of a central provincial institution for training probationers were adopted.

16709 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Everything depends on the individual Collector under whom a young Civilian is placed, but, in these days of hard work, the Collectors of the big districts, which form the best training grounds for young Civilians, have little time to give to the training of young Civilians. Another weakness is the fact that a young Civilian when sent to a district is isolated and has not sufficient opportunity of associating with, and rubbing shoulders against, other members of his own Service. This would be obviated by training at a central institution. Young Civilians are sent to settlement training at the end of their first year in India I believe very greatly in settlement training as the best kind of introduction to district work in India, and I consider that this part of their training is most important. After a year spent at the central training school, I would send a young Civilian for settlement training for at least six months and then let him be posted to a head-quarters station for six months to learn practical work.

16710 (61). Is the existing system of Departmental examinations suitable, and if not what change do you recommend?—If a central institution is created, we have found by experience in the Police school that there will probably be a tendency to cramming. Government has recently passed an order preventing young police officers from passing in Bengali and law till the second Departmental examination after their arrival. I consider this to be a salutary system.

16711 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—My answer is in the affirmative. I attribute this to several causes. In the first place there is a great want of good teachers at Indian district head-quarters. In the second place, there is no systematic curriculum. In the third place, more extensive use is being made every day of the English language by persons with whom young Civilians come in contact; and lastly, officers are so much tied to their desk that they have no opportunities of associating with people who speak the vernacular, as they used to have. At the Police school we have a curriculum laid down with the help and advice of several experienced men, including missionaries whose assistance we found of special importance. I consider that this system might be introduced if a central training institution is established. Another remedy is that inspecting officers should examine junior Civilians in their knowledge of the language at the time of their inspections, and knowledge of the language should form an item in the officers' annual confidential character report.

16712 (63). Do you recommend any changes in the rules for the encouragement of the study of oriental languages, and if so, what changes?—I understand that rules have already been accepted for—(i) increasing rewards, and (ii) the holding of a "proficiency" examination which will be less stiff than the "high proficiency" examination, and that an extension of the period of service for passing this examination is permitted. In addition language leave should, I think, be allowed, as in the case of officers of the Army.

16713 (71). Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions?—As British rule in India is established much more on the character of the rulers than on cleverness or brains, I think that special attention should be given during the period of probation and training to the formation of character. I quote here a draft rule which I have recently sent up to Government in connection with the training of Sub-Inspectors at the Provincial Police Training School, as showing the kind of thing which we are aiming at in the Police service. Hitherto, this kind of training and formation of character has not received, in my opinion, as much attention as the subject deserves.

"*Object of the school.*—The Police Training School is established to teach the probationary gazetted officers and the future investigating officers of the force, their powers and obligations under the law, the general duties which they will have to perform as police officers, and the sources of information to which they should refer to guide them in the correct performance of those duties. It is not expected that the school will turn out supervising and investigating officers who are completely equipped for the work that lies before them, but the school should inculcate in them those habits of physical health, activity, discipline, self-reliance, observation, courtesy and straightforwardness of dealing in the execution of their work, which are essential to a Police officer. Above all things, the formation of character among the officers and men at the school is of paramount importance. The highest standard of conduct and morality is required, and the Principal will devote his special attention to them. No cadet will be considered eligible for final appointment to the force who does not show by his behaviour at the school that he is strictly honest, sober, steady, punctual and obedient in his habits, and upright in his dealings with the public and with those with whom he is brought in contact at the school. It follows that, as the course progresses, the Principal should take steps to have those cadets eliminated who are, in his opinion, not likely to become good and efficient police officers." Special attention should be given to training young Civilians in the manners and customs of the country and in courtesy and consideration towards the public.

16714 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I understand that throughout the Service the feeling is unanimous that inefficient officers should be compulsorily retired with greater freedom than is the case at present. It has been suggested that the Secretary of State should pass final orders on each case, and that he should be advised by a Board of Discipline constituted as may seem to be most expedient in each particular set of circumstances. The question as to whether an officer is efficient or inefficient depends so much on individual opinion that the establishment of a Board for the consideration of each individual case appears to be preferable to leaving the decision to the individual recommendation of a single officer. The chief difficulty in such cases is the personal equation, and the attitude which has sometimes been adopted by the Government of India that there must be absolute proof of incompetence. If compulsory retirement is insisted on, a superannuation pension should be given—*vide* question (125).

16715 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—There is no doubt that the attractions of the Indian Civil Service are not the same as they were thirty or forty years ago. The pay of the Service has been diminished by the fall in the exchange; the cost of living in India has increased enormously, while the cost of living in England is also higher. The proposed substitution of Indian for European doctors in up-country stations has also been keenly felt by the Service. Meanwhile, the pay of other Services has been raised.

16716 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—I should say that it is in the rank of Magistrates and Collectors that dissatisfaction with the pay exists. There is no apparent reason why the pay of the two lowest grades of Collectors in Bengal should be lower than in Bombay, Madras and United Provinces as shown in the following statement:—

Bombay	...	2,325	1,800
Madras	...	2,250	1,800
United Provinces	...	1,833⅓	1,666⅔
Bengal	...	1,800	1,500

16717 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I understand that the Secretary of State has decided to abandon the system of exchange compensation allowance in exchange for an increase of pay approximately equivalent to the allowances withdrawn.

16718 (99). What is your opinion regarding the substitution for the existing graded system of promotion, of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—Provided the cadre is large enough, I am inclined to prefer the present system of promotion as being most attractive. A time-scale is required in case of small cadres, and it has the advantage of avoiding the discontent and inefficiency arising from blocks in promotion. Where blocks occur, as in the Punjab at present, some minimum standard of pay, worked out on the basis of a time-scale, appears to be required, so that it would come into automatic operation on a certain given set of circumstances arising.

16719 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—The arrangement appears, in my opinion, to be a suitable one. The officers have less expenses and have neither the experience, education nor efficiency of a Civilian.

16720 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest? (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—(113—4). I would refer to paragraph 157 (1) of the Decentralization Commission's report about the opening of a "leave ledger" account which seems to me to be a sound proposal.

16721 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—The present system of equal annuities to all members of the Indian Civil Service is a privilege which is greatly valued, but in my opinion officers who have held high posts should receive an enhanced pension—*vide* question (122).

16722 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I believe that the pension of the Civil Service was fixed in 1820 and the purchasing power of £1,000 is certainly much less now than it was at that time. Moreover, in the present contributory system an officer who retires after 25 years' service himself subscribes £500 a year towards his pension. A Civilian, therefore, gets a pension of £500 a year after 25 years, which is less than some other Services. I suggest that an inquiry should be made by the Commission whether the contributions made by the Civilians during their services, if invested with a good insurance company, would not produce better results. I think that a Civilian's pension should be made a reality, that is to say, that he should get a thousand a year on a non-contributory basis.

16723 (122) Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I consider that those who have held high offices should obtain a concession. It seems unreasonable that a Lieutenant-Governor of a province, accustomed as he is to a large income and a great position in India, should retire on the same pension as a Collector of a district. Heads of provinces should be given £1,500 a year as pension. Members of Council and members of the Board of Revenue should be given £1,200 a year.

16724 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Inefficient officers who are compelled to retire should have some provision made for their subsistence. The scale should be somewhat less than that allowed for retirement on medical certificate.

16725 (135). Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?—The only other proposal I have to make is that it should be made possible for a Civilian to commute a portion, at any rate, of his pension on retirement. Many officers desire to take up their residence in the Colonies and elsewhere, and a capital sum for starting a new life would be of great value to them.

16726 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—I suggest that permanent membership of the Viceroy's Council should be reckoned as the ultimate term of a Civilian's appointment in India, and that it should not be a stepping-stone to a Lieutenant-Governorship I believe that this would be an advantage to the administration.

Written answer relating to the Provincial Civil Service.

16727 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—I would refer to my answer to question (55) about the Indian Civil Service. I do not consider that the present system of attaching an officer to a district to pick up what he can of his work and eventually sending him to settlement training is satisfactory. I would substitute a system similar to that in the Police Department by which Indians who are appointed as Deputy Superintendents are sent to the Police Training College for training with the Probationary Assistant Superintendents of Police. The discipline and inculcation of western methods and the carrying out of physical exercises are excellent for them. I believe that the extension of such a system to the Executive officers of the Provincial and Subordinate Executive Services would be of the utmost value not only in improving the general morale of these officers but also in assisting them to absorb the ideas and views of the Civilians with whom they will have to work in future years.

MR. R. B. HUGHES-BULLER called and examined.

16728. (*Chairman.*) You are Inspector-General of Police in Bengal?—Yes.

16729. And you received that appoinment from the Indian Civil Service?—Yes.

16730. How many years have you occupied that position?—I have been an Inspector-General of Police in two provinces. I was transferred from Eastern Bengal and Assam after the redistribution of the provinces. I joined the appointment in November 1910.

16731. I suppose you have had an opportunity, in the course of your official work, of going all over the presidency?—Yes, pretty nearly.

16732. And of coming into contact with all classes of the community?—I hope so.

16733. According to your answer to the first question, you do not appear to be quite satisfied with the present system of open competition?—Not altogether.

16734. You do not think that it gives entirely satisfactory results?—I think it would be possible to find a slightly better class of men.

16735. What you recommend is the substitution of combined nomination and examination for the present system?—Yes.

16736. How would Europeans and Indians obtain their nominations under the system that you propose?—I advocate something of the same kind of system which I understand prevails in the Navy, except in so far as age is concerned. I understand that the system is that the boy is judged by his school reports and by the character given to him by nominees of different kinds. I believe I am right in saying that that is the system; and a process of elimination takes place as you gradually weed out the unlikely boys. It is a process of elimination which I should like to see introduced into the Civil Service, for the reason that I consider that an Indian Civilian requires much the same characteristics as are required in the Navy—courage and decision of character.

16737. You would have a selection Board in England for European candidates and a selection Board in India for Indian candidates?—I see no reason why that should not happen. It seems to me that all the candidates will have to go to England eventually, because I advocate that all Indians who wish to go into the Civil Service should have an English education.

16738. You would hardly expect Indians to go all the way to England unless they had first been nominated?—They go there with the hope of joining the Bar. It would help them of course and I think it would be a good thing.

16739. You have not fully considered what should be the machinery of the selection Board? Not so far as India is concerned.

16740. You recommend that candidates should be selected at an early age?—I think my view is that candidates for the Civil Service should enter after a college course.

16741. Do you not rather suggest, in answer to question (7), that you would like Indians to receive an English public school education?—I am all for an Indian going to England as early as possible.

16742. At what age do you suggest that he should go?—That is a matter for him; it is not for me to say.

16743. But in your answer you have rather suggested that he should go at school age; and that is why I am asking you the question. You say, "The best way to ensure that Indians obtain an adequate idea of Western method and civilisation is that they should receive a prolonged period of education in England previous to their going up for the competitive examination."?—A good many of them do, as far as I understand. I think the more education they can have in England the better they are able to imbibe Western ideas. That is the process which now takes place, as I understand A great many Indian boys go home quite early.

16744. Your objection to simultaneous examination is that it would involve the abandonment of the system of promotion from the Provincial Civil Service. Why should that be the case?—Because in order to make the Provincial Service attractive you must give them fair prospects, and there is no doubt that the prospect of getting into the listed posts is a very great attraction to the man in the Provincial cadre.

16745. I quite see that; but why should the establishment of simultaneous examinations necessarily entail the abandonment of the listed-posts system?—Because the same class of men would go up for the Civil Service in India as now goes up and gets into the Provincial Service. You get no different class of men.

16746. They come from the same community, but they would undergo a different test?—Yes.

16747. There is nothing intrinsically inconsistent in the combination of simultaneous examinations with the listed-posts system?—Perhaps not.

16748. In answer to question (24) you say "Competent observers already consider that the strain on the European element is at breaking point". Do you mean by that that the number of European officers is low as compared with the number of Indian subordinates; or do you mean that there is a scarcity of officers which is a danger to good government?—I think that there are so few civilians in the country that there is a danger to good government and efficiency. I consider that the Civil Service in this country is practically at breaking point from the amount of work put upon it. There is not a single civilian in this country who, in my opinion, is not overworked.

16749. All down the line?—All down the line.

16750. Quite apart from any question of proportions, would you like to see the whole cadre increased?—Yes; but it is not to be inferred that I am against an increase of the Indian element in the Civil Service, though I think that there should be a maximum fixed. What I do think is that I look for the remedy in the increase of *personnel*. That is the remedy which I look for. All these big districts in Bengal are undermanned so far as the Indian Civil Service is meant to be a *corps d'élite* for the administration of the country; in fact all our districts are undermanned. There is not the slightest doubt about it.

16751. You think it is necessary that there should be an actual increase of officers?—I very strongly hold that opinion.

16752. And if that increase were to take place, would you have any objection to Indians enjoying a certain proportion of the additional posts?—I have no objection to an increase in the Indian element provided that it is not accompanied by an increase of *personnel* in high posts.

16753. In your answers to questions (44) and (55), you suggest that Provincial training Institutions should be established. That means, of course, that there would be an institution in each province?—Yes.

16754. Where Civilians would go for six months on their arrival in India?—I should say a year

16755. You say six months in your proof?—I do not think I said six months. I think I said a year. At any rate that is my idea - that they should be there a year. That is our Police system.

16756. You base your proposal on your experience of an institution that you have got for the Police?—Yes It was started by the Police Commission. It was on the recommendation of the Police Commission that these schools were started.

16757. At what age do your young officers enter this institution?—Between 19 and 20.

16758. Are they drawn from the universities?—No, they have not had time to go to the universities. They are schoolboys. They come from the same class as the Indian civilians, as far as I can judge.

16759. They come straight from school?—Yes, they come practically straight from school.

16760. What kind of staff of instructors have you got?—We have a European principal. The instructors are selected inspectors from the Force. There is a European drill instructor, and a certain number of Indian instructors. There is also a selected pandit to teach Bengali.

16761. Your instruction is of a military character?—No; they are taught Bengali and law. Drill is the only military portion of the curriculum. They are also taught Police Law, the Indian Penal Code, the Criminal Procedure Code, the Evidence Act and miscellaneous Acts. These are all taught by the Police inspectors.

16762. What salary do you give these inspectors?—Rs. 150 rising to Rs. 250 a month.

16763. And what would be the salary of the European principal?—He is on the graded cadre of the Police. The present man gets Rs. 900 I think.

16764. Do you think that an institution of that kind would be suitable for young civilians who have been through the competitive examination and have had a long education including a university course for a degree?—I do not advocate the same curriculum; but you could always modify your curriculum. I see no objection to a course of that kind; at any rate, it is the only practical alternative, as far as I can see, to the present course of training which, in my opinion, is wanting.

16765. You would have to modify the curriculum to meet the requirements of the civilian?—We give a great deal of attention to drill, which would not be required for a civilian. At the same time I should like to see physical training of some sort introduced, because, I understand, in all educational curricula nowadays considerable attention is given to physical training, and it helps a man to keep in health.

16766. You must remember that the person you are dealing with is not a boy of 19, but a man of 24 or 25. No doubt a training of the kind you suggest would be very good for a boy of 19, but it might not be equally well adapted to the case of the young man who is entering the Civil Service?—Quite so.

16767. For the latter you would require a much higher trained type of teacher?—Yes, quite so.

16768. And that would involve considerable expense, would it not?—I take it that you would have a European principal, and a certain number of Deputy Magistrates or officers of the Provincial Executive Service as instructors. I should not imagine that the expense would be very great.

16769. You say from your experience of the Indian Civil Service that a scheme of that character would obtain the results you desire, but that the present practice of placing young officers under the supervision of a Collector is perhaps capable of improvement?—Yes.

16770. In answer to question (135), you suggest a modification of the pension scheme, with a view to enabling an Indian officer at the expiration of his service to call upon a small capital sum of money?—Yes

16771. Am I to understand that you would institute some form of insurance in order to enable him to get a lump sum along with his pension at the expiration of his service?—We all contribute very large sums to our pensions. It seems to me that, at the end of a man's service, he should have a right to call upon it, at any rate in part, to enable him to start life again in the Colonies. For instance, if I wanted to go to Canada, a small capital sum would be exceedingly useful to me probably.

16772. You would deduct a certain amount of the pension income and substitute for it the equivalent in capital?—Yes, the equivalent in capital

16773. (*Sir Murray Hammick.*)—With regard to the school, do you contemplate these successful civilian candidates having any course in England before they come to India?—Yes.

16774. You would give them one year?—Yes, a short practical course in England.

16775. One year?—Yes.

16776. What do you propose to teach them there? Would they attend the Law Courts?—Yes, they would attend the Law Courts. I am very anxious that that should be revived. I was one of those who came out under that system, and I consider that I benefited very greatly personally by that practical course at home.

16777. You would give them study in the principles of law?—Yes.

16778. And any language?—I am doubtful about the language. Possibly a classical language might be made an optional subject to encourage that kind of study. But I am inclined to think that the best study of the modern Indian languages can be obtained out here, provided you can get competent teachers.

16779. The candidate by the time he reaches India would be about 24 years of age?—Yes, about that.

16780. Have you ever heard of young civilians expressing considerable dissatisfaction with the continued stage of pupilage to which they are subjected on their arrival in India, because they come out so old?—It has not come to my notice

16781. These schools which you suggest would be provincial schools?—Yes

16782. Therefore in each school in the course of the year you would only have, in some presidencies, two or three pupils?—My remedy for that is to combine the Deputies and Sub-Deputies and even other Services in the same institution. I have mentioned that.

16783 You would bring in various officers, for instance?—I would bring in various officers, and engineer educational officers.

16784. It would be rather difficult to bring engineers into a school of that sort, I should think. However, you propose to give them lectures in law?—Yes.

16785. But the successful candidates who come out after a full University course, having studied the principles of law in England, would require a much higher course of law than you ever dream of giving in your Police school?—Quite so.

16786 There would be a difficulty in finding professors to teach them, I should imagine, would there not? I do not see where you could get the professors from?—I think it would be quite possible to find such men. After all, there is no lack of legal talent in this country—legal instructors who are quite competent to teach the amount of law which a young civilian has to learn when he first comes out to this country.

16787. He may not have to learn very much, but it would be a great benefit that he should study law very thoroughly. I doubt whether you could get professors in India to teach them sufficiently. Do you think you would?—I should have thought that it was possible.

16788. You mean Indian professors?—Yes.

16789. I suppose you came out too late to remember men who went through the Colleges years ago, and who put down all their miseries to debt incurred in the Colleges; you never came across a man of that sort?—No.

16790. I did when I first arrived in India. You would put them through a course of riding and physical drill?—Yes, physical drill.

16791. Do you really think it possible that a man, who has taken a high degree at Oxford, has been through a high course of law at Oxford, has been independent for a year studying in London, and living in lodgings of his own, would consent to come out here and put himself into a school run by a young civilian Superintendent with a set of lecturers, who had no particular academic distinction, and then go through a course of drill under a sergeant? Do you suppose he would care to submit to that? I suppose you would have to bring a European sergeant in for the purpose, and you would have to give the pupils a mess-house?—Yes.

16792. And they would be under a strict discipline, and not allowed to go out after certain hours, and so on; is that what you propose?—I do not see that the principal need necessarily be a young civilian. My answer would be that every civilian who comes out to this country does go through a course of instruction; practically every civilian joins the Volunteers, and I see no reason why a man, if his bread and butter depends upon it, should object to going into an institution of that kind.

16793. I am afraid you will find it perfectly impossible to work unless you reduce your age. If you brought boys out at 19 you might possibly do it, but I do not think you can do it with a young fellow of 24 or 25 That is my opinion. You say that the Police schools were started by the Police Commission. I think we had these schools before the Police Commission arrived?—I think that is right. I should have said they were developed by the Police Commission.

16794. Have you thought out what the expense of these schools would be?—I speak subject to correction, but perhaps Mr. Stephenson, who is the Financial Secretary, will be able to tell me if I am wrong. I think I am right in saying that my budget grant for the schools in Bengal—we have two or three of them—is about a lakh.

16795. As regards your idea of commuting the pensions, you know that there is a system of commuting pensions which used to exist in the Army for instance. Have you ever come across persons in this country—in the Army—who have commuted their pensions?—No.

16796. Do you not think it very likely that the system of the commutation of pensions would lead a man to commute a great share of his pension and put it into debentures and concerns of a gambling nature that would very likely cause him to come to grief?—There is that possibility. You cannot provide for all cases.

16797. That is a strong objection to commuting. Unless it is done under very strict rules, it would very likely end by impoverishing a large number of your officers?—That might be so.

16798. (*Sir Valentine Chirol.*)—The youths that come to your Training College have already passed a competitive examination, have they not?—Yes.

16799. And your view is that a little discipline in the early stage of a young civilian's life here would be very likely to be very helpful to him?—I am quite sure it would.

16800. At your Training School he would be brought into close relations with a number of young Indians, would he not?—Yes, that is what I consider to be one of the great advantages of a Police School. We have not only men whom we call cadets, that is Indians who are selected for Sub-Inspectorships of Police, but also Deputy Superintendents, who are drawn from exactly the same class as the Provincial Service officers; and I have noticed that to both classes very great advantage accrues from the system by which they are trained together.

16801. You simply suggest that, in considering some improvement by which the civilian, when he comes out here, shall have a better training than the existing one, which is very generally recognised as unsatisfactory, the principles upon which your training for the Police are based should be taken into consideration with modifications which are naturally necessary in the case of young men trained for a different class of service and at a different age?—Exactly.

16802. Can you give us a few more facts with regard to the alleged overworking of a civilian in the province here? What are the causes of the great increase in work during recent years?—I think it is the continual increase in the complexity of the Administration. As every new development takes place, the working of that development falls on the shoulders, to a large extent, of the District Officer, from agricultural banks to matters of sanitation, or the extension of a pure water-supply. It all comes down on the District Officer in the end.

16803. There has also been considerable increase in the actual Codes and Rules?—Every Act of the Legislature; at least most Acts of the Legislature affect us in some way or other.

16804. Does it interfere very much with the touring? - Undoubtedly. There is not the same opportunity of touring that there used to be. You are much more tied to your office chair.

16805. If I understand you rightly, you think that the increase in the general cadre of the Service, which you consider to be absolutely necessary in order to relieve the strain, will afford, at the same time, the opportunity of considerably increasing the number of "Natives of India" in the Service?—Yes. I take it they will get their share.

16806. And in that way there might be a considerable expansion of the Indian element without reducing the European element which you consider essential to good administration?—Exactly.

16807. (*Mr. Abdur Rahim.*) In your opinion, is there any class in India who possesses hereditary or acquired experience of governing?—I have not met it in Bengal.

16808. Have you had much experience of the Judicial Branch of the Indian Civil Service?—Very little.

16809. (*Mr. Madge.*) You are not quite satisfied with the present method of recruiting the Indian Civil Service. Is your opinion of it based upon comparatively recent periods, or as far back as you can remember? Is it the system as a whole or a depreciation in the system itself that you deal with?—I am not quite clear as to your question.

16810. You do not approve of the system. It can be improved, you think?—I think it can be improved.

16811. This susceptibility to improvement, has it characterised the system from the very start, and is it radical in the system, or has it increased in recent years?—The defect has always existed. The defect which I have pointed out is that men get in entirely on their intellectual merits, and no particular regard is given at the present moment to character. I am anxious that more regard should be given to it.

16812. I do not wish to make the question personal at all; but did this defect exist at the time you entered?—I presume so.

16813. Then the system, you think, must have produced different classes of men, and it is not sufficiently searching. I do not mean yourself in particular, but it produced different classes of men?—Yes.

16814. Both Indian and British?—I think so

16815. You have said that you have travelled about and come across all classes of men in India, rich and poor, villagers, zamindars, cultivators and all classes?—I have a fairly extensive acquaintance with them.

16816. You speak the vernaculars?—My Bengali is shaky. I have been away from the province, but I speak Hindi, Urdu and Persian.

16817. You are able to converse with the people in the mufassal?—Yes.

16818. You are acquainted with the claims of the educated class through the Press and otherwise; but have you acquainted yourself with the ambitions, if they have any, and the aspirations of men who live in the rural areas?—I have come in constant contact with them. I take it that, as District Officers, we have as much opportunity of obtaining a knowledge of the aspirations of the villagers as anybody.

16819. Have you heard villagers, for instance, or cultivators, commenting upon the defects of the Government?—I do not think their intellect runs to that except in so far as it may have touched them upon a material point.

16820. You mean that their intellect is not large enough for them to have any definite opinion on the subject, as far as you know?—Not in bigger matters. I have heard comments on the chaukidari tax which affects them very nearly.

16821. Do you think that the Government has to think for that class?—Certainly.

16822. To a large extent?—To a very large extent.

16823. I suppose it would follow that, in considering what classes they have to think for, you would compare the amount of responsibility they feel for the general masses with that which they feel for any particular class?—I think the District Officer has his responsibility for the masses very much in view.

16824. You suggest nominations at home by bodies resembling those that already exist; but in India there is no such body in existence now. Have you thought out what you recommend here for the nomination of young persons who wish to go and compete for the Service: I mean Indians?—I have not really worked the matter out.

16825. It is a difficult matter, and one would like to have any light that can be thrown upon the subject?—Quite so; I understand that.

16826. You think that a prolonged period of education in England is necessary for Indians. Theoretically, no doubt, that is so; but you are probably aware of the Indian feeling that boys should not be sent away from their homes too early in life?—Yes, there is that feeling.

16827. Do you think that that is a sound feeling or a purely superstitious feeling?—Putting myself in the place of the guardian or parent of a boy, I think that it is a very natural feeling.

16828. I quite agree with that feeling. I want you to consider what would be the result of sending boys away very early if it were to result in denationalising them and throwing them out of sympathy with their own people?—Of course that is a tendency which sometimes takes place even now.

16829. When they are older in life it is less serious than if they were sent away early; and they would probably be less liked and less trusted even than Englishmen?—It is possible.

16830. I want you to think of it in connection with your desire to send them away too early. It is a matter that will affect the Government later on. In spite of that, would you still send them away early?—I think a great deal of stress is being put upon the word "prolonged" which I have used. I did not mean that the boy should go away as a little boy. The longer he can be away the better.

16831. I did not mean to strain the point either. I was referring to sending a youngster away before his character was formed. You speak of the increase of *personnel* in all classes of the Service. You refer to both Englishmen and Indians. You both think that the Service is undermanned, and you want more efficient *personnel* all over?—Yes.

16832. Both British and Indian?—Do you mean to say in the Provincial Service as well as the Indian Civil Service?

16833. Yes, both?—I take it that we could do with more Provincial Service men also. Our districts are none too well staffed. There have been increases, of course, in the Provincial Civil Service in recent years, which has afforded a great deal of help. I think I am right in saying that there was considerable increase in Eastern Bengal.

16834. Have you ever considered what place the domiciled community (the domiciled European and the Anglo-Indian of mixed descent) might fill up in this gap, not only in their own interests, but in those of the country? Is there any gap in the Service anywhere that they might have to fill up?—I have not considered that point.

16835. Take the Police, for instance. Do you think that men of the domiciled community who are familiar with the country and its circumstances, and who know the language and the people, would not be of some use in the Police?—I have some Deputy Superintendents from the domiciled community who are quite useful officers.

16836. You would probably not like to give your opinion on the existing rules which exclude them altogether from the higher ranks, because these are nominated at home?—That was the deliberate finding of the Police Commission.

16837. You would not care to express any opinion?—I should not care to differ from them.

16838. Still, do you think that within the last twenty-five years there has been a serious falling away in character in the community; because you must be aware that when the Police was first formed in 1863 there were men of the community holding very good positions in it?—It is very difficult to enter into personal questions of this kind.

16839. I think, if you have any opinion, you might express it frankly without any fear of giving offence to anyone?—I think, on the whole, that a European Superintendent is the better man of the two. That is my experience.

16840. But do you think there has been such a falling away—as there may be if you think so—in the characteristic qualities of the domiciled which makes them less fit now than they were in 1860 for the posts of what you would call the Commissioned ranks?—I should not like to commit myself to so large a statement as that.

16841. There might be exceptional talent?—Yes, there may be.

16842. But you have not come across it?—No.

16843. (*Mr. Macdonald.*)—I understand that the chief part of your evidence which you want to bring before us relates to the training of the civilian after he has passed his examination?—I think that is a thing which can be improved.

16844. From reading your evidence, I take it that that is the special point you bring out?—Yes.

16845. What do you mean by "character" when you say that you want better character; or, to cut a long story short, do you really mean capacity to govern?—Courage coupled with capacity to govern, I should say.

16846. The courage is included in "capacity to govern"?—It is one of the chief ingredients in my opinion.

16847. So that when we talk about "character" for the purpose of our investigation, we really mean capacity to govern—to get men out who can face the problems of Indian Government and face them successfully. With that end in view you make certain proposals. I understand that that is your position?—Yes.

16848. Do you find from your experience that a great many men come out to India who have not been trained in the culture and methods of thought which they have to come across as soon as they begin to govern India?—I certainly have come across certain officers who are wanting in those qualifications.

16849. They are not prepared, so to speak, for the work they have got to do; and the tendency under those circumstances is, sometimes, to separate off in a camp which is *in* India and not *of* India; and from that a great many unfortunate political and other events arise?—Sometimes, yes.

16850. In arranging the subjects for probation, have you ever considered whether it would not be possible to select subjects which would test a man's interest in India and its people? I will give you an example to let you know what I mean—the question of Indian sociology, the question of Indian village government, and so on?—Yes.

16851. That, I understand, is never taught to the men?—No, never.

16852. The whole question of Indian communal relationships is left out?—Except in so far as I have read Henry Maine.

16853. But Henry Maine is not a compulsory subject?—No.

16854. And then there is the question of Indian religions?—Yes.

16855. Do you think that a man, before he becomes responsible for the government of an Indian district, in whatever subordinate capacity, should know really something about the spirit of the Indian people—their religious beliefs?—Certainly. It is a thing which we try to teach in our schools—sociology. As a matter of fact, it is very hard to find the teachers. We have laid it down. I arranged for a series of lectures on ethnology last year, but there is a practical difficulty in finding persons who are sufficiently interested in the subject.

16856. Is that dearth of teacher owing to the fact that he has never been given an opening? Do you think that he would come up if he was engaged to come up?—I think the subjects of Indian ethnology and sociology are most fascinating.

16857. To put it finally, I do not want to dwell upon it too much, is it your advice that those kinds of things should be made more the subject of training for a man who passes his Civil Service examination than it has hitherto been?—I should very much like to see it.

16858. And do you think the lack of it is one of the serious defects in the Government of India?—I think so.

16859. (*Chairman*) Is the teacher you were speaking of an Indian?—No, he was a European—Colonel Gurdon, who was Director of Ethnology in Assam.

16860. (*Mr. Macdonald.*) I feel this is a very important subject. A great many of your officers have written books on these subjects?—Yes. Crook, for instance, in the United Provinces. That is a standard work. And then there is Sir Herbert Risley.

16861. Also there is the late head of the Madras Museum?—Yes.

16862. And a great many others?—Yes.

16863. So that, if the Government cared to make use of the interest and the knowledge which are available, they could do a great deal more than they have done?—Yes.

16864. Turning to the answer you have given to question (24), you have put a new light upon it by the answers to the questions put to you by the Chairman. You say: "Competent observers already consider that the strain on the European element is at breaking point". You answered a question which the Chairman put to you by explaining that what you meant by that was that the work was at breaking point, that they were overworked?—Yes, overworked.

16865. Do you mean nothing more than that in the answer to that question? I will tell you how I read it. I understood you meant by that that the relation between the strength of the European element and the Indian element was such that the European element was at breaking point?—I had that in mind, too. I think I referred to that. The view I hold is that, for every addition to the Indian element, you add a certain amount of responsibility to the European element.

16866. But so far as you have answered the Chairman, so far as the work is concerned, your remark is as true of the Indian element as of the English element, is it not? The Indian Collector is overworked?—Yes. But frequently the Indian Collector is in what we call a light district; not that even a light district in these days is light in the real sense of the word, but it is light by comparison with the overworked districts we have elsewhere.

16867. I want to put it to you in this way. Could you tell me that he is in a light district because he is going to pass to a heavier district in due course, or could you tell me whether the policy in Eastern Bengal has been to reserve the heavy districts for European officers?—Certainly the recent policy has been to reserve the heavy districts for European officers. I believe that Indian officers were in some of these heavy districts in former times. I think I am right in saying that. I was Collector of Bakarganj; and I think Mr. Dutt was in Bakarganj at one time, if my recollection serves me right.

16868. Have you known of cases in Eastern Bengal where successful Indian officers have followed not quite so successful European officers? You have not known cases where a European officer working his district quite successfully was succeeded by an Indian officer who worked the district very much better?—I should not like to commit myself to an opinion upon that point.

16869. In Eastern Bengal, during the time of the troubles, that is about 1905 were all the districts which were specially troubled under European control?—Yes; in recent years the most troublesome districts have been under European control.

16870. Did the European control succeed, or precede, the outburst of the troubles?—I think, except in one district, so far as I remember, for a great many years past there have been Europeans in the district.

16871. (*Mr. Sly.*) As Inspector-General of Police, you have been brought into fairly close contact with probationers who have come out in the Police Service?—Yes.

16872. They are appointed by open competition: at what age do they arrive in India?—At 19.

16873. And would you say that the class they are ordinarily drawn from is about the best of the schoolboys in England?—I think, nowadays, we are getting some of the very best boys. In fact, as I judge it, boys who would formerly have gone into the Army come to us now.

16874 Could you give us any opinion regarding the probationers that come out in the Police Service compared with probationers who come out in the Indian Civil Service? There has been a proposal made by some witnesses that the age of recruitment for the Indian Civil Service should be reduced to 17—19 years. Have you any reason to suppose that under such a system of recruitment we could get any better class of officers than those already come out as Police probationers?—Probably they are a more highly intellectual class. The examination is stiffer; but I am not prepared to say that you get in any other way a better class.

16875. You do not think, then, that the Police competitive examination secures the highest intellectual standard from the public school?—Not so high a standard as the Civil Service; but I think it is a very good standard.

16876. Now I come back to my original question. Can you give us any comparison between the Indian Civil Service probationer and the Police probationer?—To put it colloquially, I should say that the Police probationer knows better how to use his hands and legs, if you know what I mean by that.

16877. Would the class of Police probationer be a suitable class of recruit for the Indian Civil Service—as good a class of recruit as we are getting at present for the Indian Civil Service?—Provided he came up to the intellectual standard, yes, he would make a very good officer.

16878 That is to say that their intellectual standard at present is not sufficiently high for the Indian Civil Service?—Yes, that is what I have said all through.

16879. I should like to ask you some questions with regard to your opinion as to the understaffing of districts. Would your remedy for that be an increase in the number of officers posted in the districts, or, preferably, a reduction in the size of the districts, which means an increase in their number?—I think the nearer you can get the Administration to the people the better; and for that reason I should advocate the reduction in the size of the districts. But, of course, there are always great difficulties in that. You run up against vested interests if you try to move a head-quarters of a district; but certainly that would be better for the Administration in my view. I believe I am right in saying that the average size of the districts in the United Provinces is far smaller than the average size of a Bengal district; and the result must be that the officers are able to come into contact more freely with the people.

16880. And if the size were thus decreased, you are of opinion that a larger field could be opened for the employment of Indians?—I see no reason why it should not.

16881. Now, to come to your training institution for probationers in India. You have recommended that in combination with one year's probation in England?—Yes.

16882. Do you think that it would be possible to avoid that one year's probation in England altogether, and to give the probationer's course of instruction in India at the Provincial Institute which you contemplate?—I think if I had to choose between the two, I should, with considerable reluctance, give up the course at home.

16883. That matter, of course, is affected to a certain extent by the consideration of the age-limits of the examination?—Yes.

16884. You consider that the men come out at present too old?—A little too old, I think.

16885. If it is found on enquiry that the present limit of age cannot be reduced, provided we are to obtain recruits from the best of the Honours men from the universities, would you recommend that the probation in England should be given up or not?—I think on the whole I would abandon it, though with considerable reluctance, if probation in England is impracticable. Probation in England is attended with very great advantages in my view.

16886. There is another point which has been raised. You have had, I believe, considerable experience of Eastern Bengal?—Yes, for the last six or seven years.

16887. Do you think that there was any relation whatever between the unrest that occurred in certain districts there and the holding of the office of Collector either by a European or by an Indian? Was the unrest due to the particular character of the Collector who was in charge of a district, or was it due to other causes?—I think it was due to very much wider causes than that.

16888. I want to ask you about your proposals for the improvement of the Indian Civil Service. You have recommended as the most immediate and necessary improvement an advance in the grading of Magistrates and Collectors?—Yes.

16889. We have had other opinions put forward that the most pressing necessity is improvement of the prospects of the junior officer immediately on his recruitment, because either he comes out in debt, or has to incur debt on his arrival in India owing to the fact that his initial salary is not sufficient to live upon. I should like to ask your opinion as to whether or not you consider that a more urgent necessity than improvement in Magistrates' and Collectors' pay?—Of course men come out at a more advanced age now and marry earlier. I fancy that has something to do with it; and from that point of view the improvement in the pay of the lower grades would be more desirable.

16890. We have also had an opinion expressed that an increase in the furlough allowances is of more importance than increase of pay in India,—that the officer in India manages, more or less, to get along on his pay in India, but that the real pinch comes when he has to go on furlough; and that the right remedy is an increase of furlough allowances rather than increase of pay. What is your opinion with regard to that suggestion?—I have not sufficiently studied the subject to be able to say.

16891. You have recommended that special pensions should be given to the Heads of Provinces, and also to Members of Council, and Members of the Board of Revenue?—Yes.

16892. Certain objections have been put forward, particularly with regard to Members of Council and Members of the Board of Revenue, the principal objection being that it would induce senior officers to stay for long periods in order to secure these appointments, and consequently interfere with promotion of the Service as a whole. The second objection is that it must necessarily influence the Government in making selections to these high posts if the passing over of an officer is not only to affect his pay in India, but also to affect his ultimate pension—that it would lead, in fact, more to promotion to those posts by seniority than by selection. Had you considered those two objections in your proposal?—I had not considered them.

16893. But you think that they are of importance?—They are of importance, but they are not insurmountable, I should say.

16894. (*Mr. Gokhale.*) With regard to your opinion about district administration being undermanned, I should like to have a little more definite idea as to what is in your mind. You would prefer smaller districts than you have at present?—I should be very glad to see them.

16895. How many would you have?—We only have 25 at present.

16896. In place of the 25, how many would you have?—It is very difficult to make a calculation. There are certain obviously unmanageable districts. Bakarganj, Dacca, Mymensingh, Midnapore and the 24-Parganas are obviously unmanageable at the present moment.

16897. You would like about half-a-dozen more districts?—Certainly, half-a-dozen one could say at once; and there are others which would occur on consideration.

16898. Would you reduce the size of subdivisions of district at the same time; would you have a larger number of subdivisions?—The policy has been to increase the number of subdivisions in the course of recent years.

16899. You are satisfied with that; you do not want any more subdivisions? If the number of districts were increased, and there were corresponding subdivisions in the new district, you do not think an increase of the subdivisions is necessary?—Yes, I think it would be necessary. Take Patuakhali, a subdivision of Bakarganj; I happen to know it fairly well. I think it is probable that if you split up Bakarganj, Patuakhali would be divided into two or more subdivisions. That is to say, the formation of a district practically carries with it the formation of more subdivisions.

16900. You would then have some more districts, and in some districts you would have more subdivisions. Would that express your opinion?—Yes.

16901. Would you have any Indians in charge of subdivisions, or are Englishmen only to be in charge of subdivisions? Have you any proposal in view with regard to that?—No.

16902. Do you say that subdivisions should be in charge of Europeans only?—Not necessarily. It depends a great deal on the subdivision.

16903. You say that the strain on the European element is at breaking point. Would you go down to a subdivision and insist that the subdivision should be in charge of an Englishman also?—Not necessarily. I say that everything must depend upon the circumstances.

16904. I wanted to see if there was any general idea in your head about this. With regard to this increase of the work, that must normally continue under any settled Government; is not that so?—Yes.

16905. Has this work been considerably increased owing to recent unrest?—It has certainly placed a very big burden on District Officers. I can personally vouch for it.

16906. As this unrest subsides, the increase will probably become less?—To that extent it will.

16907. As regards the general increase in the work, the central departments have largely multiplied during recent times, have they not?—Yes.

16908. And they have their own special officers?—Yes.

16909. So that while there is a certain responsibility resting upon the Collector, do not those central departments, which have their own officers, relieve the presure of the special work?—I do not think you can say that. Everything goes back to the Collector. That is my experience.

16910. You say, "I attribute much of the trouble in Eastern Bengal in recent years to the absence of efficient European Administration before 1905." What would you say in a general way was the outward form of this trouble through which Eastern Bengal passed recently?—It developed from one step to another.

16911. Could you put it like this—political dacoities and riots and general sedition, something like that?—I do not think that represents the situation at all. We started with the boycott, and then it developed into the *samitis* which helped to carry on the violent boycott; and from that we developed into the secret *samiti* with its propaganda of violence, and then into dacoity. That, I think, was the line of development, so far as my experience goes.

16912. Political dacoities and secret organisations?—I do not call them political dacoities.

16913. That is the expression used officially and in the papers?—We do not call them political dacoities.

16914. We will call them dacoities, secret organisations and riots, general seditious preaching, whether you include in that boycott or not, seditious preaching?—The first stage was boycotting.

16915. That would be your historical tracing of how the thing began? These were the outward manifestations of the trouble? One may come before or after the other, it does not matter?—We have had murder recently too. We must not omit anything.

16916. Will you tell us in what districts or divisions these have been the worst?—In the Dacca Division. That certainly stands out by itself practically.

16917. The Dacca Division contains four districts; which districts have been the worst in a general way?—It would be difficult to differentiate.

1918. In the matter of dacoities and secret organisations, Dacca itself has been the worst?—I should not like to commit myself upon that.

16919. What about the riots in Mymensingh?—That is in the Dacca Division.

16920. And they were the most serious riots as such?—As far as rioting goes; of course we had a good deal of rioting in Sirajganj.

16921. Jamalpur and Sirajganj?—Yes, you must not omit the Comilla riot. That was one of the earliest.

16922. Mymensingh has been under a European Collector for a long time, has it not?—Practically single-handed, you must remember.

16923. But as things are, there has been no Indian Collector since Mr. Dutt's time in Mymensingh?—I do not think so, but I have not actually looked into it. I think I am right in saying that there was an Indian Superintendent of Police.

16924. But in Jamalpur, where the riots took place, do you remember whether the Subdivisional Officer was an Englishman or an Indian?—I think Mr. Barniville was there at the time.

16925. I do not want names. It was not an Indian?—I think it was a European.

16926. With regard to the riots at Sirajganj, was the officer an Indian or a European?—I think he was a European.

16927. He was an Anglo-Indian, was he not?—I could not say who he was.

16928. (*Mr. Chaubal.*) I want to be clear about the theory contained in your answer to the first question where you speak about the results of competition being generally unsatisfactory. At one time there was a system which was not a competitive system for admission into the Indian Civil Service. I wish to know whether what you have stated in your written evidence about the results of competition is after comparison of the men who have come in by competition with the men who came in before the competitive system was introduced?—I am afraid my age precludes me from answering that question.

16929. You are not speaking from a comparison of the results of the two systems?—No.

16930. Then it is just possible that you may have a system of nomination which you or anyone else, might propose, and still there might be the same unfortunate results?—I am not quite sure that the analogy is quite true, is it? I do not believe in doing away with the competitive examination in any way. What I am anxious for is that some process of elimination should go on previous to the competitive examination.

16931. I see you want to have nomination first, that is to say, the selection of candidates who have to appear for the competitive examination?—If any workable system can be arrived at.

16932. So that a certain percentage will be eliminated in the first process of nomination and subsequently by a process of examination?—Yes.

16933. But with the system which obtained previous to competition, there was a selection, was there not, in Haileybury College; everybody was not admitted there?—I am not quite clear what the process was.

16934. Is there a distinct impression in your mind that, ever since the competitive system has come in, the candidates we have been getting have been lacking in force of character?—I should not like to lay that down as a general principle; but I say that a certain number of them are, as far back as I can remember, and I have had 20 years' service.

16935. I want to make my question clearer. Of course, *a priori*, it might be a theory about competition that competition is likely to suffer from this defect which appears natural to the system. I want to know whether what you have said is what you have found ever since competition was introduced, from 1853 onwards. In the results you think you can trace what you conceive to be the defects natural to the system?—My experience of the Service only goes back to 1892.

16936. You may take it from the time your experience may go back to. From 1892, is it your experience that it was because of the system of competition and its incident defects that any distinct and perceptible want of courage, want of initiation and coolness, of decision and rapidity of action and of capacity to guide the destinies of men, has been noticed by you as the result of the system of competition?—I should not like to commit myself to a theory of cause and effect in the matter.

16937. I frankly confess to you that witness after witness has come and said that the system is generally satisfactory in principle but they office of Collector either by a European or by an Indian? Was the unrest due to the particular character of the Collector who was in charge of a district, or was it due to other causes?—I think it was due to very much wider causes than that.

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16954. You stand "pat" as the Americans say?—Yes.

16955. In your answer to question (135), you argue that it should be "possible for a civilian to commute a portion, at any rate, of his pension on retirement". You mean, I suppose, through some form of Government agency. He can do it through an Insurance company, can he not?—Yes, I think he can. My idea was that as a man has contributed very largely to his pension during his service, as I said before, he should be able to say to Government, "I am now about to retire, and I want to enter on some undertaking for which I require capital, and I shall be glad if I may have a thousand pounds or two."

16956. In the same way as Military officers can commute a portion of their pensions?—Yes.

16957. Are you sure that a civilian cannot do that now?—I have never heard of its being done, and I am practically certain that he cannot.

16958. I seem to remember that permission was given in an individual case?—I know that I was written to by another civilian not long ago on the subject, and he was certainly of the same opinion as myself.

16959. As I understand, it has not been the practice; but I further understood that the unwillingness to do it was because the terms offered by the Secretary of State were no better than those which could be secured by an Insurance office?—That may be so.

16960. Do you want better terms than those which can be secured in an Insurance office because it is probable that an Insurance office would commute the pension and would give a civilian a lump sum down for a proportion of his annuity?—Yes.

16961. Commutation in effect you can secure?—Yes, in effect.

16962. What you want is better terms; is that what it comes to?—Fair, reasonable terms.

16963. The Insurance company does it, I suppose, upon an actuarial basis. You want something rather better?—Yes, if we can get it. The principal thing is to be able to get it at all. The question of terms had not so much as entered into my calculation. Assuming that I wished to go and settle down in Tasmania or Canada, I should like capital to be able to start in life.

16964. Did it ever occur to you to apply to an Insurance office?—I never consulted Mr. Henderson.

16965. (*Lord Ronaldshay.*) I understand, after reading your evidence, that there are two factors in the present situation which tend to bring into the service a certain number of undesirable recruits. The first of those factors is the present system of recruitment by means of unrestricted open competition; and the second factor is the decline in the popularity of the Service. Am I right in saying that that is what you wish to express in your evidence?—I have not the slightest doubt that both those causes are at work.

16966. We have had evidence which suggests to us that the popularity of the Service has undergone considerable decline in recent years. Can you tell me, in view of that fact, whether, in your experience, there has been a tendency for the recruits to the Indian Civil Service to fall off in the high qualifications which you desire them to possess?—I should say that the more recent recruits were, perhaps, not quite so good as the older ones. But, then, I am one of the older ones!

16967. Admitted. As far I can see, the only way of remedying that tendency will be to arrest the continued decline in the popularity of the Service, will it not?—I think the decline is likely to continue, and under the present circumstances certainly.

16968. You think the decline in popularity is likely to continue: then the tendency will be equally likely to continue?—Yes.

16969. Have you any suggestions for remedying that state of affairs?—I think one of the first things to do is to relieve the civilian of the overburden of work which he has at present. That is one of the causes of unpopularity. He never knows where to turn. He has not time to think for himself. I think if a man found he was not quite so overweighted, that would, at any rate, add to the popularity of the Service. I think everybody realises that the civilian's life nowadays is entirely different from what it was. A young man at home certainly realises that, when a civilian comes out to this country, he is immersed from the moment he arrives in the country. He can hardly get away, and sometimes has scarcely the time to see his family.

16970. That can only be remedied by increasing the cadre of the Indian Civil Service?—Yes, and that, I hope, will be the result of the deliberations of this Commission.

16971. Many officers of the Service have complained of the substitution of Indian doctors for Europeans in upcountry stations: has that substantially taken place?—It is in the course of taking place. The orders of the Secretary of State were that no more Indian Medical Service men were to be placed on Civil duty. As far as I know, those orders have never been cancelled. They came out in 1908 or 1909.

16972. And those orders, as far as your knowledge goes, are still in force?—Yes.

16973. And so long as those orders are in force, it will be felt that there is a real grievance?—I know there is a very strong feeling in the Civil Service about it. It has frequently been mentioned to me.

16974. I am glad to have your opinion upon that point. With regard to what you said about the increase in the cadre of the Civil Service, I want to be quite clear in my mind exactly what you mean in your answer to question (24). I am going to take the district of Bakarganj, a district you have mentioned and one of which you have had personal experience. You say, "My experience in Bakarganj, which is one of the heaviest districts in Bengal, and in other parts of Eastern Bengal, indicates that the number of Europeans is dangerously low." I want to know whether you mean by that that the number of Europeans in proportion to the number of Indians employed in the district is dangerously low?—Yes. We have had a recent addition of strength in the shape of an Additional Magistrate who has relieved the Magistrate and Collector to a very large extent. I am not quite sure if that appointment is permanent or not. I think that we asked for it to be permanent. It is from that point of view that I look at it. I think I am right in saying that when I was Collector of Bakarganj, the number of Indian Provincial Service officers under me was something like 25 or 26.

16975. And how many European officers had you under you?—There was myself and I had an Additional Magistrate. At one time I had a Joint-Magistrate, but not always. I had two Assistant Magistrates in training, and one European Subdivisional Officer. Practically, there are three large subdivisions without the Sadar subdivision which makes a fourth. The Sadar subdivision is the headquarters subdivision.

16976. But I assume that at the Sadar subdivision you had a Subdivisional Officer in addition to yourself?—There has not been always. There is one now, as one of the results of the Decentralisation Commission. Sadar subdivisional Officers are being appointed now. That is a new departure.

16977. I want to go back to your time. You were in charge of the district and also of the Sadar subdivision yourself?—I had the district charge, and that included the Sadar subdivision. I should put it in this way: I was in charge of the district without any special officer in charge of the Sadar subdivision.

16978. Then you had in addition to have three subdivisions?—I had three subdivisions as well as that.

16979. How many of those subdivisions were in charge of a European officer?—One.

16980. And the other two were in charge of Indians?—Yes; and I had one Additional Magistrate.

16981. You mean by what you have said in answer to question (24), that in a district of that kind you ought to have a larger number of European officers in subordinate positions?—In a position of what I may "call subordinate alliance".

16982. You want a larger number of Europeans holding what are technically known as inferior posts in the district; subdivisional posts and so on?—Partly that, and partly we want more staff at head-quarters too. For instance, I have found the help of an Additional Magistrate which was a post which was only created in my time to be of immense value. I think the present Collector of Bakarganj will tell you that the district is not workable without one now, but that is entirely a recent development and it is a thing which you will not find in any other parts of India.

16983. I have a special point which I want to get out here. You tell me that, in a heavy district like that, you think it is desirable, under present circumstances, that there should be a larger number of European officers in the inferior posts?—Yes.

16984. I suppose you would say that, if the district officer was an Indian instead of a European, then it would be necessary to have a still larger number of Europeans in the inferior posts?—That is hardly the position, is it? Assuming that you had an Indian officer as Collector, you would quite possibly have a European Joint-Magistrate and you might still have your Subdivisional Officer. There is no necessary connection between the fact of your having an Indian Collector and the number of Europeans you have in subordinate appointments.

16985. I see. Your actual words are these: "I attribute much of the trouble in Eastern Bengal in recent years to the absence of efficient European administration".—"Before 1905".

16986. Before 1905. But can you get your efficient European administration if you reduce the number of European officers serving in the district?—A district like Bakarganj must have, in my view, under present circumstances, European officers, if the district is to be efficiently conducted, and there must be plenty of them. I should like to say that when I was Collector of Bakarganj I always did advocate that there should be another European at the subdivision of Pirozpur. It is a very important subdivision and should certainly be in charge of a responsible officer.

16987. You want the district divided into a larger number of subdivisions?—Either that, or several districts formed out of it which would at once give you more European staff *ipso facto*. That is the preferable system.

16988. If the new districts were under European Collectors, it obviously would; but supposing there was to be a considerable increase of Indians in the Civil Service, obviously a considerable number at any rate in those districts would probably be under Indian Collectors?—They are much smaller districts and much less important. That is the process which took place.

16989. Much of what you say, therefore, with regard to the necessity of a strong European staff in these districts would become unnecessary if the districts were much smaller?—I do not say that there is any necessity for the European staff to disappear with a decrease in the size of the districts in any way. But there are a great many other factors, besides the actual size of your district, which must be taken into account.

16990. What I want to get at is this: If you are to increase the number of Europeans in the inferior posts in these heavy districts, would you not have to create a special class of European officers, because your present European officers serving in inferior posts are merely serving there by way of training, as it were, and if you were to increase them in number they would upset the whole scheme of promotion into the superior posts?—That is exactly the position, and therefore you want to increase the number of Europeans in your superior appointments in the present scheme of recruitment.

16991. In the present scheme, therefore, if it is necessary to have more Europeans serving in inferior posts, you must also increase the number of superior posts open to them?—Exactly, in order to get a workable service.

16992. (*Mr. Bompas.*) You have said that for the last few years it has been the policy of the Government of Eastern Bengal to put European officers in charge of heavy districts?—Yes.

16993. Do you mean by that that there is any written order in the Secretariat that an Indian is not to have a heavy district, or that each case is to be considered on its merits, and that the man who is considered to be the best man at the time is put in charge of the district?—I know of no Standing Order in the Secretariat and I am quite sure that there would be no Standing Order in the Secretariat on the subject.

16994. When a district falls vacant?—When a district falls vacant, the best man who is suitable is put into the district, irrespective of whether he is an Indian or a European.

16995. Have you served in other parts of India besides Bengal?—I have.

16996. In what part?—Hyderabad (Deccan) and Baluchistan in the Political Department.

16997. I believe you know something of the conditions of the North-West Frontier of India?—Yes.

16998. Turning to this question of employment of men drawn from "noble and aristocratic families" in India, would you say that if you wish to employ an Indian officer in the North-West of India, and chose, say, a Bengali, who had brilliantly passed the Indian Civil Service examination, he would be less efficient than an officer drawn from some "aristocratic family" in that part of India, but who might never have been able to pass the Indian Civil Service examination?—I can certainly conceive that he would not be suitable.

16999. That is what you were thinking of?—Yes

17000. (*Mr. Mukharji.*) You want in this scheme of a Training College of yours the probationers of the Executive Branch of the Provincial Civil Service to be thrown together with the Police probationers?—Not the Police probationers; with probationers of the Indian Civil Service.

17001. Also the Police, because you would have them in the same college, and they would have the same training?—I am doubtful upon that point. The conditions in the Police are somewhat special. We have our Sub-Inspectors to train, and also some probationer Inspectors and Deputy Superintendents, as well as our Probationary Assistant Superintendents. Looking at it from the broad point of view, I should think that the best policy would be to continue to keep the Police Institution separate.

17002. One of the objections you take to simultaneous examination in India is the difficulty of keeping the examination papers secret, or guarding the secrecy of the examination. Do you think that, with the existing machinery at the disposal of Government, there is really anything in it? You know that they could keep all the information about the Capital quite secret up to the very latest moment?—There have been numbers of scandals about examination papers in recent years, as far as I can recollect.

17003. (*Mr Sen.*) You have not said anything about the Provincial Judicial officers, or Provincial Judicial officers being appointed to listed posts?—No.

(The witness withdrew.)

DR. DEVAPRASAD SARVADHIKARI.

Written answers relating to the Indian Civil Service.

17004 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes, it is. But previous training (preferably University), good character, and respectability should be insisted upon. There should be a separate examination for the Indian Civil Service as distinguished from the Home and Colonial Civil Service.

17005 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Please see previous answer.

17006 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system is not wholly suitable to Natives of India. Simultaneous examinations in India and England are necessary.

17007 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Please see answer No. (1). The first reason for change is that subjects no way needed for the Indian Civil Service are included, and subjects urgently needed for the Indian Civil Service are excluded. The second reason is that the best of the candidates go to the Home Service and the Indian Service has a choice of the rest. The conditions of the Colonial Service are different from those of the Indian Service and their recruitment ought to be separate.

17008 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.—Please see answers Nos. (1) and (21).

17009 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examinations in India and in England are necessary. Inhabitants of Colonies, where Indians are not allowed entire privileges of British citizenship, ought to be excluded.

17010 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India?—I am against such a scheme.

17011 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? I am against such a scheme.

17012 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India, do you consider that "Natives of India" should still be eligible for appointment in England?—Please see previous answers.

17013 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—Please see previous answers.

17014 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—A certain percentage of practising lawyers may be appointed as in the case of High Court Judges, in whose case the age limit ought to be relaxed. As for those admitted by examination, the probationary period ought to be devoted largely to the study of law, constitutional history, work in Chambers with practising Barristers in England and attendance in British Courts of Justice.

17015 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent?—I am.

17016 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limit of 21 may be retained.

17017 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—24.

17018 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—The age-limit of 21 should be uniform.

17019 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No. Such differentiation would interfere with the uniformity of standard. Difficulties should be met by a liberal provision of suitable alternatives.

17020 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—No.

17021. (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Considering the small percentage of Natives of India now in the Civil Service or likely to be in the immediate future, the question has no practical bearing. It is difficult to answer, and its discussion would lead to unnecessary and avoidable disputes. No definite percentage can or need for the present be fixed.

17022 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Please see previous answers.

17023 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—Some improved method should be introduced with a judicious combination of nomination and competitive examination.

17024 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—No such system should be introduced.

17025 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—Please see previous answers.

17026 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The system is satisfactory, if proper nominations are made.

17027 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or statutory civilians, may be appointed to one quarter of the listed posts?—Yes.

17028 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes. It helps in keeping up the tone and status of the Provincial Civil Service.

17029 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I am unable to make any definite suggestions.

17030 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If simultaneous examination in England and India be sanctioned, I would recommend three years' probationary work in Great Britain, one of which at least should be spent in a University. In the case of others than Natives of India, one year's probationary work (out of three) in India should be insisted on. Subjects of training suitable to each class of probationers are a matter of detail which will have to be carefully gone into. As regards special probation for the judical branch, please see answer (11).

17031 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Please see previous answers.

17032 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—As to the period, please see previous answers. In the case of Natives of India, study of Constitutional History and English Law should be insisted on. In the case of others, study of an Indian vernacular, an Oriental classic, Anglo-Indian Law and Ancient Indian History should be insisted on.

17033 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—Please see previous answers.

17034 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Please see answer (28).

17035 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—Yes.

17036 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I think one centre, such as is contempleted in question (33), should answer the requirements. Separate provincial centres do not appear to be suitable or necessary for the present.

17037 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The training should be according to the branch of service selected, and special training suitable for such branch should be given.

17038 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I believe there has been deterioration. One of the causes may be that English is more largely in use in and out of courts and there are not the old facilities for cultivating the vernaculars. Facilities and encouragement for systematic learning of vernaculars and classics should be more extensive, intercourse with Indians should be encouraged, knowledge of vernaculars should be strictly insisted on prior to confirmation and promotion.

17039 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowlege of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers selected for the judicial branch?—I have answered this already, and would like to emphasise the need of legal training of all officers as helpful in the discharge of their duties and as necessary in holding their own against lawyers practising in their courts. Appeal Courts in their revenue and criminal jurisdiction have often to interfere, because of misapprehension of law on the part of those whose judgments come up before them. This could be obviated if there was better knowledge of law in the lower grades of the service. Officers in the judicial branch should have special training in India, prior to joining their appointments, in Anglo-Indian law and procedure in addition to the special probation referred to in the previous answers.

17040 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—A course of study equivalent at least to the B. L. course of the Calcutta University should be insisted on.

17041 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? —No special training is necessary so long as the selection is made from practising Barristers, Vakils and Solicitors of a certain standing.

17042 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Please see previous answers.

17043 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—As regards Natives of India recruited by simultaneous examination in England and India, please see previous answers. Regarding those who would belong to what would correspond to the Statutory Civil Service, the system of probation in vogue till the abolition of the special service *plus* necessary legal training, may be reintroduced with suitable modifications.

17044 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation is necessary, except what appears from the previous answers.

17045' (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance appears to be no longer necessary. A re-adjustment of the scale of salaries, however, is necessary, having regard to the rise of wages and prices all round which are affecting all alike. Everything possible should be done to attract the best men to the Indian Civil Service.

17046 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—All officers should be placed on an equal footing.

17047 (47). Turning now to the case of the statutory civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—The scale of pay ought to be three-fourths and not two-thirds of the pay of members of the Indian Civil Service.

17048 (49). Have you any proposals to make in regard to the leave rules applicable to statutory civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—(i) No proposals can I make, except those mentioned in my *Notes and Extracts** hereinafter referred to. (ii) Separate rules seem to be necessary, as the conditions are different.

Written answers relating to the Provincial Civil Service.

17049 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are generally suitable. I would not, however, rigidly exclude deserving candidates, because they belong to another province. In the case of the Executive Service, the scope of recommendation by the Universities ought to be much larger.

17050 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—In the case of the Subordinate Executive Service, a law degree or equivalent legal training should be insisted on. Regarding the higher grades of the Subordinate Judicial Service, partial recruitment from practising lawyers, which has answered well in the case of the lower grades as also in the case of High Court Judges, would be desirable.

17051 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—No. The best available candidates should be appointed.

17052 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I think so, and no special arrangements are necessary. General efficiency of the services, and public interest as a whole, have to be aimed at, and not class, communal, religious or racial representation.

17053 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—No further special arrangements seem to be necessary. The existing arrangement would be fairly satisfactory, if legal training in the case of executive officers be insisted on as suggested before.

17054 (56). Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—My views as to this, as well as pay, leave rules and pension rules, were fully set out in several schemes I submitted to the Bengal Legislative Council in notes as well as debates. Owing to their length, I beg to refer to the schemes which will be found in the *Notes and Extracts** herewith sent at pages 49–59, 91—98, 201–204, 237—261, 263—271.

17055 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—There is no marked differentiation yet. Entire differentiation is necessary, and the judicial and executive functions should be in different hands.

17056 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I have no particular suggestions to make. The name does not seem open to exception.

17057 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think they are generally satisfactory, except as to matters referred to in my said *Notes and Extracts.*

17058 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—In regard to this matter, I crave leave to refer to my said *Notes and Extracts.*

17059 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I would suggest three-fourths.

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* A copy of these *Notes and Extracts* was submitted for the information of the Royal Commission but has not been reprinted.

17060 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—In the case of the judicial branch, I would recommend addition of privilege leave on full pay as obtaining in other branches of public service. As regards other recommendations, I beg to refer to my *Notes and Extracts.*

17061 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—Subordinate Judges and others outside the Indian Civil Service that are appointed District Judges get only the pension that they would receive if they continued to be Subordinate Judges. More liberal treatment is necessary.

17062 (64). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—The grading, pay, status and prospects are not wholly satisfactory. Details of their grievances that struck me in this connection are fully set out in my *Notes and Extracts.*

17063 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I have nothing to add to what I have stated above and in my *Notes and Extracts.*

DR. DEVAPRASAD SARVADHIKARI called and examined.

17064. (*Chairman.*) What caste are you?—I am a Kulin Kayastha.

17065. Will you tell us what position you occupy?—I am not in Government employ. I am a practitioner in law, a vakil of the High Court and solicitor.

17066. Have you in former years ever had any position in Government service?—Never.

17067. You are in favour of simultaneous examination?—I am.

17068. In answer to question (4) you say that there are certain subjects not required for the Indian Civil Service which are included in the syllabus of examination, and that subjects urgently needed for it are excluded?—That is so.

17069. In making that observation, do you not agree with the general principles that the examination should be as near as possible a test of general educational efficiency?—Yes.

17070. What are the particular subjects you would like to see excluded?—I do not remember all the subjects; but I think some of the modern languages, like German and Italian, may be excluded.

17071. You do not regard those subjects as being of any particular utility?—One modern language at this stage ought to be quite enough in addition to English. One of the difficulties in the way of the Civil Service student, as well as of all students, is the multiplicity of subjects which debars all possibility of thoroughness.

17072. You would not leave it optional to take up one language or another?—My experience of optionals with regard to university matters is not very helpful that way; and I would limit the range of optionals as much as possible.

17073. Do you not regard a knowledge of European languages as of some importance nowadays?—I do.

17074. Why do you suggest their exclusion?—Because there are three or four of them.

17075. You mentioned German. Would you regard that as an important modern language?—It is a matter of opinion as to whether German should give way to French, or French to German, or German to Italian.

17076. Which do you regard as the most important languages to keep in the list?—I would regard French as the most important. But German, no doubt, is gaining in importance.

17077. What subjects would you include?—I would include Indian law and Indian ancient history on the same basis as Greek and Roman histories; not only as a matter of peculiar importance to India, but as an essential in general culture.

17078. Would you give them the same marks?—Yes.

17079. You are a firm believer in the open competitive system for the Indian Civil Service, are you not?—That is the nearest to perfection in this imperfect world of ours as things go now.

17080. You see its imperfection, but you cannot suggest anything better?—Nothing practical.

17081. You would recommend nomination for statutory civilians, and also, in part, you would recommend nomination for the Provincial Civil Service?—Yes. May I add that I do not recommend? I have only assented to the continuance of that which is holding the board, and which ought not to be disturbed in a hurry.

17082. Do you not see certain advantages in having nomination, at any rate, for a proportion of the Provincial Civil Service?—A strictly laid down proportion.

17083. I would not say, "a strictly laid down" proportion, I would simply say a proportion.—I have not gone into the details of that. I have simply indicated the principle. I recognise that, in the present state of things, a certain number of nominations may be unavoidable; and I also recognise that, in making those nominations, Government will be guided by considerations which obtain in the competitive examination.

17084. In answer to question (13) you say that the present age-limit of 21 for the Indian Civil Service should be retained?—I do.

17085. But the present limit is not (21)?—It is 22 to 24. I meant that it ought to be 21.

17086. You would like to see it reduced to 21?—Yes, and for the reasons that follow with regard to longer probation, upon which I should like to insist, if I could.

17087. In the event of its being reduced to 21, how would you be able to insist upon a university degree?—I do not insist upon a university degree. I insist upon a university training, preferably. It is not necessary to insist upon a university degree.

17088. You would like to have civilians who have taken a degree, and still better those who have taken Honours?—If possible, certainly. But I attach greater importance to the probationary period, the examination being a mere admittance to probation.

17089. I have asked you a question with regard to simultaneous examinations. Would looking at it from a practical point of view, be in favour of maintaining an irreducible minimum proportion of Europeans?—The question does not arise, and is not likely to arise for many years to come. That is the way I have looked at it.

17090. So that you are prepared to leave the future to chance?—Not at all. It is a dead certainty that the question will not arise for many years to come. It is not a question of chance at all.

17091. I suppose nothing that has occurred can be regarded as a dead certainty?—Nothing has occurred, and nothing is likely to occur to interfere with the continuance of the present position as "a dead certainty" until another Commission assembles and goes into the question.

17092. What proportion of posts would you throw open to statutory civilians?—A very small proportion. That I would leave, as a question of detail, to the authorities. I have introduced it merely for this purpose. Even if simultaneous examination be permitted, there will always be a class who will on no account go to England to put in the probationary period, and some very desirable candidates it would be possible to have among this class; and, of course, as they are not prepared to put in what I consider an essential with regard to the matter, they must take a back seat, and be content with what corresponds to the old Statutory Service, midway between the Provincial Service and the Indian Civil Service.

17093. You advocate a three years' probation?—I do.

17094. Why?—I would make it longer than two years. I look upon that as the most important portion of a civilian's training; the examination counts for very little.

17095. You want them to get a thorough British training?—I do not know what you mean by "a thorough British training".

17096. Do you want the probationers to spend the whole of the three years in England?—Yes, the whole of the three years would be spent in England in the case of Indians; and I think a year should be spent in India in the case of non-Indians.

17097. You are in favour of the establishment of a college in India?—Yes, that is more for the benefit of those who will have had no previous Indian training.

17098. Would that be a central college? —One college for all India, on general lines, not on provincial lines.

17099. For those probationers who will not have an Indian training?—More.

17100. You are not going to insist on all candidates, whether in England or in India, spending their probation in England?—I do not follow you.

17101. You do not make it compulsory for the successful candidate, whether in England or in India, to go to England for his probation?—I do in the case of the Indian candidate.

17102. What is the Indian college for? —The Indian college is for the purpose of giving some Indian training to all. The period in the case of the Englishman would be longer than in the case of the Indian. The three years will be distributed having regard to the different communities concerned.

17103. Your Indian college would be more for the European than for the Indian?—Quite so.

17104. Do you think he would learn more in the college than by going into a district and mixing with the people, working under the supervision of a Collector?—He will not go into a district before he has been admitted into the Service. I am contemplating a period of three years' probation.

17105. He will go through that further training under the Collector after leaving the college?—Before he gets into the Service. That is why I think it ought to be three years instead of two.

17106. (*Lord Ronaldshay.*) I understand that you think that only one European language ought to find its place in the curriculum for the open competitive examination, but you find some difficulty in deciding which language is to remain; is that not so?—I myself have no difficulty. I have indicated that I should like to retain French.

17107. But other people might take exception to that, and say that German should be left in. Would not the difficulty be got over if all these languages were left in the curriculum; and if it was laid down that no candidate could take up more than one of them, would that meet your view?—There is this practical difficulty. By leaving in so many optionals it would be possible to have only a linguistic scholar to the exclusion of other branches of culture, because you can make up your 6,000 marks by taking up the subjects for which you have a peculiar fancy. That is in general a scheme of training that has its disadvantages; I would otherwise have no objection to it if the choice is limited to one modern language.

17108. There is one question I want to ask you, and that is about the minimum number of Europeans in the Service. You do not think that there is any necessity for laying down any minimum because you do not think it is conceivable that a sufficiently large number of Indians will get into the Service to endanger the efficiency of the Service in any way?—Not during the lifetime of any of us.

17109. But apart from laying down any minimum, do you consider it essential that there should be a fairly large European element in the Service?—It is certainly desirable.

17110. With regard to the age-limit, would the age-limit of 21 be the most suitable age-limit for Indian students?—From my point of view it would not be unsuitable if simultaneous examination is allowed, because he would have his training here up to the minimum period, and then he would have more time for the probation work in England after he is admitted. I attach importance to that, because I do not like those who have no chance of getting into the Service going to England and spending their energies for nothing, and adding to the troubles of their own people and possibly of the Government, and the people of England.

17111. (*Sir Theodore Morison.*) From your answer to question (1), I understand that you approve of competitive examination?—I do.

17112. Then you say, "Previous training at a university, good character and respectability should be insisted upon." How do you secure that?—By ascertaining whether the man has been in a public school, or what would correspond to a public school when we get the simultaneous examination, because we are hoping to get our public schools soon. I would not like a man to come straight from his books to the examination. I attach importance to the training of the mind, and that can be easily arranged for; it is more a question of detail than of principle.

17113. And then the other things, "respectability and good character"?—That, I see, is already to a certain extent provided for in the Commissioners' scheme. They do require character and respectability in the sense of the candidate coming from a family that has character. That can always be vouched for by means of the certificates from people who know him.

17114. When do you apply these other tests?—Before the candidate is admitted to the examination.

17115. So that if a candidate who appeared did not satisfy you with regard to previous training at a university, or the respectability of his family, you would be excluded from the examination?—Yes.

17116. You would have some sort of selection?—I would not use the word "selection" at all, because it is really excluding certain people.

17117. It is a process of exclusion?—I would not insist upon the negative, but would work the other way. I would like to be satisfied that he has been receiving some sort of training that is approved of by the Commissioners.

17118. You would give the Commissioners certain power, I understand, anyhow to exclude people who did not seem to them to be all right?—If it amounts to exclusion, it will come to that; but I do not look upon exclusion in the same way. When a man comes to me to ask for an appointment, I ask him what he has been doing.

17119. You are going to insist upon these tests?—I would.

17120. With regard to your answer to question (28), would you mind telling me a little more definitely how you propose that this three years' probation should be spent? It has been rather expanded in your answer already given. First of all take the Indian?—In the case of the Indian I would suggest that he should be at the university for at least two years.

17121. You say in your answer, "One of which, at least, should be spent in a university." —I was forgetting: It would be one. And in the case of people selecting the Judicial Service, I have indicated that it would be spent in the study of law, attending courts of law and in barristers' chambers.

17122. That is one university year?—Yes.

17123. And what would happen during the other two years?—The university is the university pure and simple. The other is technical law. With regard to others, a course of general study.

17124. Which are the "others" you refer to?—The non-judicial, if I may so call them.

17125. The executive men from India?—As well as from England.

17126. You think both should have the same probation?—With this exception, that in the case of Englishmen, I would like one year out of the three to be spent in the Central College in India.

17127. What course do you propose for the Indians who choose the executive line after they have passed the competitive examination? What is their course of study in England? —Larger expansion of the subjects in which they have been examined: more grounding.

17128. Where are they to spend it? You say in your answer, "one year at least in a university"?—If it is possible and desirable, all the three years may be spent in a university; but one year I have indicated as the minimum.

17129. You have no other training in view except the university training? What is the Englishman to do?—The training that is now in use will answer with suitable modifications.

17130 (*Mr. Chaubal.*)—You gave us your caste as Kayastha?—Yes.

17131. Are here different classes?—There are 72 of them by a very moderate calculation in this part of the country.

17132. Seventy-two classes of Kayasthas? —Yes.

17133. Is there anything common to them; do they dine together and marry?—Some do and some do not. There is a movement now, headed by Mr. Mitra, a late Judge of the High Court, who is trying to bring all the communities together.

17134. These men you spoke of are practically different castes?—Not all.

17135. What is your standing at the Bar as a vakil of the High Court?—I was recently called as a vakil, but I was enrolled as a solicitor in 1888.

17136. So that you have been at the Bar since 1888?—I was five years an articled clerk, so that it is 1883.

17137. You represented the Calcutta University on the Legislative Council?—I am still representing it.

17138. You represented the Calcutta University at the Congress of the Universities of the Empire last year in London?—I did.

17139. In answer to one of the questions by the Chairman, as to why you wished to have the Statutory Service, I think you said something like this: that there will always be some people who will refuse to go to England?—Yes.

17140. You wish to have the Statutory Service for the convenience of those people who will always refuse to go to England?—Yes. They are not at all a negligible quantity; and in quality they are some of the best.

17141. Am I to understand that these gentlemen will always refuse to go to England on account of their religious prejudices?—I would not like to call them prejudices. There are social requirements which they still obey.

17142. Do you think it is a very desirable frame of mind for an officer in the position of an Indian Civil Servant, or a Statutory servant, to refuse, on account of what you call social customs or practices or beliefs, to go to England?—I do not. But that is not a reason. He cannot help himself, he cannot be penalised because of that. He has to take a back seat in consequence of the social requisition.

17143. But in the interest of the efficiency of the Service, is it right that a man with that frame of mind should be given any scope for appointment?—It is not at all the frame of mind which is in his way. It happens that some of the men in the Statutory Civil Service, men like Mr. Mitra and many others I could name, have been quite equal to any Civilian who has come out. That they have not been able to go is their misfortune, and not their fault, from this point of view.

17144. Do you mean to say that for such men of capacity there are no other fields open in India?—There are; but that is no reason why the highest public service should be closed to them because of this.

17145. What would you say if I suggested that this is a reason why they should not be admitted to the higher posts?—Then I beg leave to disagree with you

17146. You have answered one question with regard to the Provincial Service, and you do not say anything as regards that case because the question is not there. In answer to question (57) you say, "There is no marked differentiation yet. Entire differentiation is necessary, and the Judicial and Executive functions should be in different hands." Do you confine that to the Provincial Service?—No, throughout. I think I have answered the question that way, with regard to another point, not as differentiation, but as separation of the Executive and Judicial: it is really overlapping.

17147. I understand you to say you advocate complete separation throughout?—Throughout. That would relieve a good deal of the work about which you have heard.

17148. In regard to question (11) you say, "A certain percentage of practising lawyers may be appointed as in the case of High Court Judges, in whose case the age-limit ought to be relaxed." Have you any idea of what the exact percentage is which you are thinking of?—I have my own ideas; but these are matters of detail, into which it is neither profitable nor expedient to go. Let us have the principles settled.

17149. You have no hesitation in saying that some Judicial posts in the Civil Service cadre may be manned by practising lawyers?—With great advantage.

17150. And, from your knowledge of the Bar, you do not think that there will be any difficulty in finding fit practising lawyers for the posts?—Not the least.

17151. What do you think about the objection urged, namely, that, if such practising lawyers are taken to do District and Sessions Judges' work, they will probably be wanting in that administrative capacity so far as it is necessary to do the work of District and Sessions Judges?—There is not the slightest foundation for that. They are in touch with work every day in their practice; and you have this outstanding fact, that some of the best criminal Judges of the High Court are Vakil Judges, who not only never had administrative experience in a district, but who had not even criminal practice in any of the courts.

17152. May I know any of the grounds upon which you advocate that two-thirds of the pay for listed posts should be changed to three-fourths?—Times are hard, for one thing. You cannot have a general scheme for enhancement.

17153. All salaries should be readjusted on account of the rise in prices. You would make it three-fourths?—Yes. I might add that the differentiation is not equitable considering the importance of the work done by the two classes of officers. I recognise that there should be some difference; but it ought to be as little as possible, and 25 per cent, is quite a good margin.

17154. I can appreciate the force of your remark. I can quite understand that if these gentlemen who hold these superior listed posts do exactly the same work as the Civil Servant does ......—And under more embarrassing conditions.

17155. And under more embarrassing conditions—I can understand gentlemen saying that they should be paid quite as much as an Indian Civil Servant gets?—Not quite.

17156. Then, what are the special considerations which make you say that three-fourths is more adequate than two-thirds?—He cannot make two ends meet with what he gets now, and ought not to be stamped with that degree of difference.

17157. In principle, you think, there ought to be some difference, although it should not be as much as it is at present?—That is my position.

17158. You would still hold that view; if, in the general readjustment of salaries, the salaries of the Indian Civil Servant are raised, still you would make it three-fourths of that salary?—I have suggested a revision of the Civil Service pay because they suffer as much as others from the rise in wages and in prices.

17159. (*Mr. Sly.*) I should like you to explain your whole scheme a little more in detail throughout if you can. Take first the Judicial Department. You wish a percentage to be recruited from practising barristers?—That is so.

17160. Can you give us any idea as to what proportion should come from practising barristers?—No, I cannot. At present it requires careful working out, which I have not undertaken, thinking that it would have no practical value at present. But it would not be difficult to do that.

17161. You suggest a substantial proportion?—Yes, a substantial proportion.

17162. As much as half?—No; because that would interfere with the prospects of the Service proper.

17163. And you would also suggest a certain percentage by promotion from the Provincial Judicial Service?—Yes.

17164. Would that be a substantial proportion?—Yes. I say that because Government has felt the greatest possible difficulty in getting good Judges for their present Judicial appointments held by civilians. That I have been told on the highest authority.

17165. With regard to the Statutory Service, do you wish to see that revived?—Yes.

17166. Can you give us any idea of the proportion of the number of appointments you would like to see?—Very small.

17167. Under the rules of 1879 it had to be one-sixth of the Service?—I would make it less than one-sixth if there is to be simultaneous examination.

17168. With regard to listed posts, you suggest that there should be more listed posts thrown open to the Provincial Civil Service?—Yes, by way of economy and of bettering the prospects of the Provincial Service.

17169. As a matter of fact, I believe in Bengal one-tenth of the posts is listed?—On paper.

17170. And not in fact, you think?—I think not in fact, certainly. There are many listed posts to which no appointments have been made, and the Service is ......

17171. Several listed posts to which no appointments have been made—which are those?—I forget the details, but some of the Judicial posts. One case comes back to my mind. A first-grade appointment, which was supposed to go to one of our Subordinate Provincial men, has never been filled up.

17172. Your statement is that Provincial listed posts have not been filled up?—Yes, I am speaking of Bengal.

17173. We are all speaking of Bengal. You also support simultaneous examination?—I do.

17174. As a whole, your scheme comes out to a very large reduction in the Judicial Department of the Indian Civil Service?—No, it would not be very large. There would be some reduction.

17175. A substantial proportion for barristers and a substantial proportion for the Provincial Civil Service?—Yes.

17176. That is, two substantial proportions have gone out of it?—And there may be a third, a fourth, or a fifth substantial proportion.

17177. In addition to that, you want a proportion taken away for the Statutory Service?—That will be so small that it will make no impression upon the Judicial Service by the time the men are ready for that.

17178. You also want more listed posts?—Yes.

17179. And you also want simultaneous examinations?—Yes.

17180. Have you considered what the total result of that would be on the Indian Civil Service?—As far as I can judge, the total result will not be very appreciable, because, as I have told you, there is already difficulty in recruiting the judicial appointments from the Civil Service, and Government is obliged to make appointments in and outside the service which it would not make if it could help itself.

17181. But considering your scheme as a whole—all these different branches of it—you still think that the whole of it is necessary; you are not prepared to make any modification?—I am always for compromises. If a well-thought-out scheme is placed before us, we should go in for it, and the policy of Government must prevail.

17182. Do you suggest that you would put forward the maximum demand possible?—I do not think so.

17183. Even a larger demand might reasonably be made?—Might reasonably be made.

17184. (*Mr. Madge.*) You have expressed an approval of university training irrespective of the taking of degrees, is that so?—Yes.

17185. Do you not think that your remark is open to the construction that you are adding to the category so many entrance fails—B.A. fails?—Not at all. Entrance fails do not count as university students at all. In the first place, you have no entrance now; that has disappeared. In the second place, those who do not matriculate are not counted as university students.

17186. You have also characterised as desirable a class of candidates who cannot fulfil certain necessary conditions, and you would like to see them employed in public life if possible?—Yes

17187. As one who sympathises with you to a certain extent, I should like to help you with your opinion upon those points. You have referred to the social requirements which they still obey. Are they purely social requirements, or moral sanctions?—It is a sociological question, and I should not like to take up the time of the Commission with it; but, if I may say so, most of our social requirements are supposed to have for their basis moral sanction. Whether you and I agree with it is another matter.

17188. Suppose I do agree with you, that the man who follows moral sanctions takes a higher plane than the man who takes the more social requirements. I want your help. I have asked other witnesses, and I have got the opinion that there may be a class of men in this country whom it is most desirable in the interests of the government of the country to get into Government employment, if that is possible. Have you thought out a way by which such men can be captured by any kind of test or standard that would be considered practicable?—I have completely indicated that by pointing out that in the case of these men a certain amount of scrutiny of their claims would be necessary. That would be answered by nomination. As to their intellectual attainments, there would be the examination. If these two conditions are satisfied, even if they were not prepared to make the sacrifices (because they are sacrifices) which we have made, the next best appointments in the Public Service ought to be open to them, if not the best.

17189. Perhaps I have not explained myself. The present system of government is scientific and is getting more and more so, and it may be very difficult to adapt a class of mind to scientific procedure unless some method can be devised for doing it, and it does not strike me that those you have suggested will do?—I do not follow your question, if there is a question. I thought you had made a statement.

17190. (*Sir Valentine Chirol.*) You are connected with the University, are you not?—I am a member of the Senate of the University, and I represent the University on the Bengal Legislative Council.

17191. Therefore your views connected with matters of curriculum are of great interest. Could you tell me on what grounds you base your preference for French as a language to be favoured in the curriculum?—It has a larger currency in cultured Europe. It has not been displaced yet as a medium of communication between different European nations. Its literature and science are perfectly abounding. It is easy to acquire and, so far as connection of English literature with any modern European literature is concerned, French seems to have a larger claim than German.

17192. Are you speaking from personal experience?—To a certain extent.

17193. You spoke just now of German as a rising language?—Yes.

17194. Kindly explain what you mean by "a rising language"?—It is fast displacing the French language in the commonwealth of European culture, and in science and arts (but not in classics) it is making a very rapid headway.

17195. Are you aware that German philosophy has played a much larger part in the evolution of modern thought?—Is playing.

17196. Has played for a couple of centuries past. But perhaps you consider that a matter of opinion?—That is a matter of opinion; you are quite right.

17197. You have no knowledge of German?—No.

17198. You have not had any opportunity yourself of studying the difference between German and French?—No.

17199. And you think that German has not played the part in the development of science and thought, that is generally ascribed to it by the cultured people of Europe?—I was making only a choice.

17200. Coming to another point, you consider the possibility of Indian candidates succeeding in any very large measure in the simultaneous examinations as being extremely remote?—Extremely remote.

17201. Therefore you do not think it necessary to make any sort of provision in the change in the admissions?—None at all. It has not been thought necessary up to the present, and there are no materials upon which one can say that it is necessary now. On the other hand, the apprehensions are quite the other way.

17202. If you were advising a client with regard to the conclusion of a contract, would you advise him to be satisfied with the other party's statement that such and such a thing was a "dead certainty", or "dead possibility", however friendly and close the relations were between the two people?—I would ask him to make his own enquiries and draw his own conclusions.

17203. Do you mean that when you are making a contract, you would not enquire, or enter into any engagement, but that you would be satisfied with an assurance that it was all right?—Make all the enquiries that are open to you.

17204. Is that the basis upon which you would conclude a business contract?—You cannot do any better; make your enquiries, draw your own conclusions.

17205. If you are selling a house, for instance, would you make a contract simply on the assurance that the money will be paid without getting any guarantee that it will be paid?—That is what you do. If you mean by paying the money—the price—you simply enter into an agreement in which it is stated that the price will be paid.

17206. In the case of a mortgage?—If you are thinking of a mortgage, you take your security, which you can enforce.

17207. You get your engagement; but in this case you get no engagement. You simply get the assurance of one party that such and such a thing will take place?—There is a hundred years' experience behind you, and the near possibility.

17208. (*Sir Murray Hammick.*) Have you had mufassal experience?—Yes. As one coming from the mufassal as one practising sometimes in the mufassal, and as one going often to the mufassal for change and other things, I have some experience.

17209. All your practice, I suppose, has been in Calcutta itself?—Largely, but we often go to the mufassal.

17210. When you ask for barristers to be added to the Provincial Service, what is your exact reason for that? Is it by way of improving the *personnel* of the Judicial Service?—Yes, by imparting outside life and strength from time to time. The Government has recognized that, and barristers have been appointed to the lower appointments, though not to the higher to my knowledge: they have risen to the higher.

17211. Have you in view chiefly English or Indian barristers?—Both.

17212. You would put in both to the Judicial Service?—Yes. English barristers have been appointed to the Small Cause Courts. That is part of their service.

17213. (*Mr Sen.*) Did you not move a resolution in the Bengal Legislative Council recommending to Government that the pay and status of the Provincial Judicial officers should be improved?—I did.

17214. You then expressed an opinion that, as a result of unsatisfactory grading, the promotion of Munsifs to the grade of Sub-Judges is unduly deferred so that men only attain to that rank shortly before they are liable to be called upon to retire. That is what you said?—Yes.

17215. You further said, "Sub-Judges who retired from the service from 15 to 30 years ago worked as Sub-Judges for about half the period of their service. Many of them were in the first grade alone for about eight to ten years. Now the period of service as Sub-Judge is reduced to less than five years"?—Yes.

17216. Again, "The Judicial Service used to be held superior to all other uncovenanted Services. It was only the Sub-Judge who was allowed on retirement, after full period of service, the pension of Rs. 5,000 yearly; while officers of no other uncovenanted services, including the executive service, could aspire to a higher pension than Rs. 4,000 per year. In this respect the members of both Services are placed on the same footing now." That is what you said?—Yes.

17217. Again, "Members of the Judicial service were formerly, though long ago, allowed to retire on full pension after only 22 years of service on medical certificate. They are now required to complete 25 years of service before they can claim full pension."—I believe that is true.

17218. Then you said, "The pay of the last grade of Munsifs in former years was Rs. 250, but now the pay is Rs. 200."—Yes.

17219. Further, "Notwithstanding the long Dussera vacation, the members of the Judicial Service were entitled to privilege leave on full pay. This privilege leave has been long withdrawn and only privilege leave on half pay is allowed."—That is so.

17220. And you further said, "Only four District Judgeships are now reserved for the Provincial Service, of which one is now held by a statutory civilian. More appointments should, we submit, be reserved for the Provincial Service"?—Yes.

17221. Then you said, "Calcutta Small Cause Court judgeships only one is now open to the Provincial Service. Some more of these judgeships may, with advantage, be reserved for the Provincial Service"?—Yes.

17222. And you recommended that a Sub-Judge should be appointed as Personal Assistant to the Registrar, High Court, Appellate Side?—Yes.

17223. And that a Sub-Judge should be appointed as Personal Assistant to the Legal Remembrancer, and the Judicial Secretary to Government?—Yes.

17224. And you recommended that temporary promotions should be allowed to officers in temporary vacancies?—Yes.

17225. "As in the case of other departments of the Civil Service." What other departments?—The Civil Service, generally, and the Educational Department.

17226. Have you in your mind the Police Service?—Yes.

17227. You think that the travelling allowance of Munsifs should be increased?—Yes.

17228. You have said, "At almost all stations the number of Munsifs is short, and officers have to overwork themselves to the detriment of their health"?—That is unfortunately very true.

17229. And then speaking about designation you say, "The designation 'Munsif' is associated with old-time officers"?—Yes.

17230. "And the designation is still not held in high esteem"?—Yes.

17231. Then please look to your answer to question (52). You have said, "Regarding the higher grades of the Subordinate Judicial Service, partial recruitment from practising lawyers, which has answered well in the case of the lower grades as also in the case of High Court Judges, would be desirable." You have said that in your answer?—Yes.

17232. By this do I understand you to mean that a portion of the sub-judgeships should be recruited from practising lawyers?—Yes.

17233. But with the high regard for efficiency which you entertain for the Provincial Judicial officers, do you not think it would cause serious discontent amongst the munsifs, every one of whom now naturally aspires to a sub-judgeship?—It ought not to; I am an advocate of the enlargement of the whole Service. The Service is very much undermanned. There ought to be room for practical lawyers as in the case of the High Court.

17234. Do you know that in Madras already two outsiders have been appointed to sub-judgeships, and one even to a first-grade Munsifship?—I have heard so.

17235. And, in consequence, representations have been addressed to the Madras Government on the point through the High Court?—The Service has not been enlarged in the way I have suggested there. I am having in view an enlargement of the Service in all directions in order to relieve the present congestion.

17236. Now, if your suggestion is approved, do you not think that the mere fear that Sub-Judges will be recruited from members of the Bar will be detrimental to the recruitment of the best men as Munsifs?—I do not think so. If that was so, the High Court appointments would have undermined the High Court long ago. We want the best men from wherever we can get them.

17237. If some of the members of the Bar are appointed District Judges, would you not reserve a certain number of such posts specially for members of the Provincial Judicial Service?—Yes, I would.

17238. In order that there might not be any clashing of interests?—Yes.

(The witness withdrew.)

W. P. MILNE, Esq.

Memorandum relating to the Indian Civil Service.

17239. MY experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service extends only to personal contact with a number of Civilians in both Bengal and the United Provinces, in both the Executive and Judicial branches of the Service. I consider the system generally satisfactory in principle, so far as the Executive Branch is concerned, but susceptible of improvement in the Judicial Branch, as I shall endeavour to explain. For the Executive Branch I think no departure whatever from present practice is called for; but for the Judicial Branch I consider there ought to be a preliminary sound judicial training, equivalent to what is demanded for barristers; and that from the curriculum a certain number of subjects should be excluded, in order to give place to law subjects; that the two final examinations should be entirely separate and the two Services separate *ab initio*. The administration of law in India is of far too much importance to permit of specialization for the Bench being taken up as an afterthought by officers who have had only a general education with some insight into law, and have, perhaps, for years after entering on Service, been engaged upon duties of which legal matters form but a small part. The system I advocate is, I consider, equally suitable for the Home, Colonial, and Indian Civil Services; and equally suitable for all subjects of His Majesty eligible for the Services, with the following reservation so far as "Natives of India" are concerned. In the case of "Natives of India" competing for the Indian Civil Service I consider a preliminary selection to be necessary. The British races at home have now reached a stage of homogeneity which implies that certain characteristics are practically universal and may be counted on to be found, with trifling exceptions, in all but the most depressed classes. The classes that come forward for competition for the Indian Civil Service do not come under the exception, and, moreover, have been proved by long experience, and even by outside testimony, to possess naturally the qualities that make for success in responsible positions, without reference to educational tests. I therefore think that in dealing with such a class of candidates selection or nomination is superfluous, and it is only necessary to apply the educational test in order to secure officers fitted mentally and morally for the duties of responsible office, safeguarded, of course, as under all circumstances, by the physical test. In India homogeneity is unknown. It is glaringly absent in the class embraced under the wide term "Domiciled", while among the countless races and classes that go to make up the strictly Indian population there are differences in ideals, in moral and social standards, that, so far from pointing to homogeneity, have tended for centuries, and still tend, to maintain lines of cleavage that keep the different communities in separate compartments. When classes of this nature are being dealt with, it is, therefore, but fair that some test should be supplied that cannot be said to exist in mere competitive examination; and for this reason I suggest that for all "Natives of India" an *authoritative* selection be made before admission to the competitive examination. There should be a defined Indian University standard first attained which will permit of at least three years' further study in England, before the date of the competitive examination. The selection should be made after the Indian University standard has been attained; it should extend to only a pre-determined number of "Natives of India", whom it is considered desirable to admit to the competition, and be distributed in fair proportion over the broad classes constituting the community thus comprehensively designated, such as the Domiciled Community, Hindus and Mahummadans. If there is a genuine desire, as I understand there is, to improve facilities for such classes to take part in the government of the country in responsible positions, I think this a fair method of giving effect to that desire, since, if a merely intellectual competitive examination be instituted, success will be achieved by only the one or two sub-sections of "Natives of India" who are admittedly the best equipped with intellect, and thus the prizes of Government service will become the monopoly of a mere section, will fail to give satisfaction to the masses, and will not attain the end Government has in view. It must be clearly understood, however, that under the working of such a scheme as this no "Natives of India", other than those authoritatively selected, will be permitted to sit for the Indian Civil Service examination.

Passing on now to the subject of simultaneous examination in India and in England, I may at once state that I strongly oppose the suggested measure, and I do so in the highest interests of "Natives of India" themselves. Some of my objections are embodied in what I have said before, but there are others. A long experience in a service that has been recruited partly in England and partly in India, each through its own door, has convinced me that the Indian source of entry will never, in practice, be given the same consideration as the British, that the taint of "Provincial" will attach to it under any and all circumstances, whatever the appellation under which it may be disguised. I therefore advocate for the Indian Civil Service one final training and one final examination, in order to leave as little ground as possible for the forging of the brand of inferiority which is commonly stamped in practice, if not in theory, on "Natives of India," who are working side by side in the same services as British officers. Nor do I assert, when I refer to this feeling, that it is mere sentimental prejudice. I hold, on the contrary, that it possesses a substantial and justifiable basis. There is no one who has visited England from India for the first time, but has at once felt that he has been brought face to face with a set of ideals much in advance of anything he had been familiar with before. Not only are material standards higher, but there are higher standards of courage, of endurance, of unflinching devotion to work, in a word, of thoroughness. All of this is not the mere gift of heritage, but much of it of environment and training, and it is at least those that spring from the two latter sources that are capable of attainment by the "Native of India" who makes England his residence at that period of his life when he is being moulded for a career. Holding this view, I urge that the competitor from India for the Civil Service should pass the final years of his training in England, work in the same channel and enter service by the same exit as British competitors.

The term "Natives of India" does not seem a suitable one in the statutory sense in which it is used, since a person of unmixed European descent never styles himself, nor is he in fact, a native of India. It is a fact, too, that an Anglo-Indian with a British father will almost invariably call himself British. The term "Native of India" is thus largely repudiated in practice, and it might be more acceptable if the expression "Domiciled European or Anglo-Indian and Indian," or some similar expression, were substituted for it.

I consider the present age-limits, viz., 22 to 24 years on 1st August, with one year's probation, suitable and applicable to all classes of candidates; but I think the year's probation should be passed in India. I also consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration, and that the proportion of posts in the Civil Service cadre open to "Natives of India" should for the present be 20 per cent. In my opinion, no other than members of the Provincial Civil Service should be appointed to fill listed posts, and I further think, in view of the opinion I shall express later, that 10 per cent.

of the posts ordinarily held by members of the Indian Civil Service should be listed for members of the Provincial Civil Service, who should be eligible by special selection for posts even higher than those shown in Appendix V under Bengal. I suggest that the year of probation spent in India be in the capacity of Personal Assistant to a Divisional Commissioner, who will see that the probationer gets a general insight into executive work; in the case of the judicial branch the probationer might be attached as Personal Assistant to a Senior District Judge, who will similarly train him.

As regards existing conditions of pay and promotion, I think they are sufficiently liberal and may continue for the present; also that exchange compensation be dispensed with in the case of future entrants, as it is now an anachronism. I further think that a uniform scale of pay for similar offices should be established throughout India; and as regards Statutory Civilians and officers of the Provincial Civil Services holding listed posts, I think that the scale of pay instead of being ⅔rds should be ¾ths that drawn in the same posts by members of the Indian Civil Service. On the subject of pensions, I would express the opinion that the present system of equal annuities to all members of the Indian Civil Service seems inequitable, and that their pensions ought to be arranged on the same lines as the pensions paid to members of other European Services.

Memorandum relating to the Provincial Civil Service.

11240. I am not in favour of existing methods for the recruitment of officers for the Provincial Civil Service. As for the Indian Civil Service, I hold there should be a single competitive examination of a high standard. Those appearing should first have passed a definite University test, after which they must be selected by an *authoritative* committee, who must be satisfied as to their fitness in respects that cannot be tested by examination but are essential for the holding of responsible office. A sound knowledge of the vernacular of the province in which the officer is to serve must be rigidly tested in the examination. Each province must send up yearly only so many (with a margin for failures) as may be required at the time. As for the Indian Civil Service, the Judicial Branch of the Provincial Service should have a distinct training and examination and a distinct career. The Provincial Civil Service officers, in both branches, should be so educated and trained as to be competent to take over some of the work now devolving on Indian Civil Service officers, among whom there is a general complaint that their duties are so multifarious as to prevent them from supervising their charges as they would like, and also from finding the time to get in touch with the people of their districts in the way that was possible in earlier times, when district work was less complex. As regards salary, I am of opinion that a time-scale would be more suitable, commencing with Rs. 250 and rising up to Rs. 1,000; and this scale should apply to the Executive and Judicial Branch alike. The scale of pensions seems suitable, but those retiring from listed posts should have an additional pension graduated to suit the position last held.

General.—Although it may be impracticable just at present to raise the standard of qualification for entry to the Provincial Civil Service beyond that of a B.A. of an Indian University, it is suggested that it may be made a steady aim to raise the standard higher, and to raise the status of the Service and its responsibilities, so that functions now devolving upon the Indian Civil Service may, in a measure, be taken over gradually by the Provincial Civil Service, making it possible to expand the latter Service, and not, for some time to come, add to the numbers of the former. When this is done it will be necessary to rank all Provincial Service officers as first-class officers, with higher salaries than are now drawn. The time has come also to consider seriously the gradual extension of service, at least in the case of the latter Service, to 60 years, since health conditions in India have greatly improved and, as a matter of fact, very few men are now unfit for further good service beyond the age of 55 years. On the subject of designation, I would suggest that the term "Provincial" be dropped and that the two services be designated Indian Civil Service, Class I, and Indian Civil Service, Class II.

MR. W. P. MILNE, called and examined.

17241. (*Chairman.*) Have you held any position in the Public Service?—Yes; I have been an officer in the State Railways.

17242. Do you still occupy that position?—No. I retired in 1907.

17243. You have sent in a short memorandum in place of answers to the questions?—Yes.

17244. But you have dealt with some of the questions in the course of your memorandum?—Yes.

17245. You would have a single competitive examination in England for the Indian Civil Service, and a single competitive examination in India for the Provincial Civil Service?—Yes, it is so.

17246. And in the case of all civilian candidates, whether for the Indian Civil Service or for the Provincial Civil Service, you would insist, first of all, upon an educational qualification?—Yes.

17247. And you would limit the number of candidates by means of preliminary selection?—Yes.

17248. The first process, therefore, of your scheme would be a qualifying test examination to show a certain standard, and then, I think, a probationary period of two years?—A probation of one year.

17249. And then you come to the competitive examination?—No, I do not quite follow you. I do not suggest any preliminary examination for the Indian Civil Service men. I suggested a preliminary examination for the Provincial Civil Service men.

17250. You suggest in your memorandum an educational test?—An educational test for the Provincial Civil Service. For those men going from India, Natives of India, I propose a preliminary test in India, succeeded by nomination up to a percentage of 20 per cent. of men recruited for the whole year's absorption.

17251. Will you explain your scheme more fully?—For the Indian Civil Service student I propose no change. These men are recruited at home; but for men to be recruited from India, I suggest a preliminary university test in India.

17252. You mean that they must take a degree?—They need not go in for the B. A. They might go in for Intermediate Arts.

17253. You do not specify what the test is to be?—I do not specify what it is, so long as it leaves the man three years' clear education in England before sitting for the final examination.

17254. How many years would he spend in England before he went in for the competitive examination?—The test that ought to be given here ought to allow at least three years in England.

17255. I am making a distinction between competitive examination and final examination. You say that he should be in England three years previous to his going in for the competitive examination; after he has passed the competitive examination how long will he remain in England?—Not necessarily at all. I should say that he should come out to India at once and put in his probation here.

17256. Would you suggest that the European civilian, after he has passed his examination at home, should go out and spend a probationary period in India prior to his taking up work in the Service?—That is my suggestion; the whole of the probationary period should be passed in India.

17257. You suggest that the proportion of the posts in the Indian Civil Service open to Indians should be 20 per cent.?—I do.

17258. Would this 20 per cent. be in addition to the 10 per cent. of the posts, in the Indian Civil Service cadre which you suggest should be listed?—It would be in addition to it. But I may add here that that would be pending an improvement in the education and prospects of the Provincial Civil Services, when those listed posts ought to be withdrawn.

17259. I do not quite understand this 20 per cent. You mean that you are going to limit the entry of Indians at the competition in England to 20 per cent.?—That is my suggestion.

17260. Or, do you propose an examination in India with a limit of 20 per cent.?—No, I do not. I propose that in a certain year, say, 60 men are to be sent out.

17261. You propose to leave the scheme of a single examination in England untouched—the only difference being that you are going to superimpose upon that scheme a limit of 20 per cent. of Indians?—Yes, that the maximum number of 20 per cent. of Natives of India be permitted to stand for the examination.

17262. I suppose you allow more than 20 per cent. to go in for the examination?—There must be a margin allowed for failures of course. What I mean to say is that if 20 per cent. out of 60 were to pass, that would be 12. If you want 60 men to be admitted in the year, 12 of those men, provided they are qualified, must be Natives of India.

17263. What is your particular object in imposing this limit?—Because I think the idea is to give Indians better chances than they have had of filling the Services.

17264. How will they have better chances if you limit them to 20 per cent.?—If 20 per cent. of people go from India, it would be much more than have gone before.

17265. Is there any statutory limit to those who may compete in the open competition?—In practice that proportion has not gone so far.

17266. You think that, by imposing a statutory limit, you would encourage a larger number to go than have hitherto gone?—I think if the rules permitted a maximum of 20 per cent., a larger number than now would go.

17267. You suggest that listed-post officers should be paid three-fourths instead of two-thirds the rate of salary payable to Indian Civil Service officers in similar posts?—Yes.

17268. What is your reason for that?—I think it would encourage them to live up to a proper standard.

17269. You want them to have a higher salary, but you do not want them to have exactly the same salary as the members of the Indian Civil Service?—I think there ought to be a distinction, because the Indian Civil Service man who comes out from home has certainly very large contingent expenses which the man whose home is in India escapes. At the same time, I think two-thirds rather a wide difference. I should think that three-fourths would be a fairer proportion.

17270. Would you say, apart from status, that an officer holding a listed post is saved expenses which the officer in a similar post in the Civil Service would have to incur?—Yes.

17271. What kind of expenses?—He has to live up to a certain standard; he has to take a certain amount of leave; and, if he does not get an adequate pay, he is very likely not to take all the leave that is good for him.

17272. Has the officer holding a listed post to live up to a certain standard too?—Yes. But the officer whose home is in England has to go home frequently and break up house and therefore he ought to get a little more pay.

17273. You suggest that there should be immediate bifurcation after the open competition between the Executive and Judicial branches of the Indian Civil Service?—That is my suggestion.

17274. But for the Provincial Civil Service you suggest that there should be a different examination for the two branches?—Yes.

17275. Why do you suggest that?—I also say that the officer who comes out from home into the Judicial Service should have a special judicial training quite apart from the officer who comes out on the Executive side of the Service.

17276. I am speaking now of the Provincial Civil Service. You suggest an entirely different examination for the judicial branch of the Provincial Civil Service?—Yes, I do suggest that.

17277. What had you in your mind when you made that suggestion?—I should say that a man who is taking up law as his calling should be a B.L.

17278. And he would be able to fill a judicial position more adequately if he has an entirely different training and has passed a different examination?—Yes.

17279. (*Sir Murray Hammick*). What post do you hold?—I retired as an Executive Engineer on the Indian State Railways.

17280. Have you been in Bengal all your life?—No, I have been in many parts of India.

17281. Always as an Engineer on railways?—Not always on railways. For some time I was on buildings and roads; in the general branch. I was transferred to the Railways after about fourteen years' service.

17282. Are you a servant of the Bengal Government or the Government of India?—I was a servant of the Government of India. I retired in 1907.

17283. I do not quite understand what it is you want. You want 20 per cent. of the appointments of the open competition reserved for Indians?—Not reserved, no. My suggestion is that, if in any year you have, say, 60 men going up, if you obtain 20 per cent., that is 12 Indians, not Indians only, but "Natives of India," who have qualified, those men should not be rejected; that you may in any year take up to the limit of 20 per cent.: not that that percentage has to be reserved for Indians; it is only if they go to England and pass with the rest in the right place.

17284. If you have 60 appointments, and if 15 Indians passed, they would come out. You would not make a limit of 12; why do you want to put a limit upon it? If 15 passed now, they would come out. I do not understand you?—Because the feeling is that there should be a limit to the number of "Natives of India" in the service; and I limit that to 20 per cent.

17285. What you really want to do is not to encourage Indians to go up for open competition in England, but to limit 20 per cent. of the appointments there to Indians?—Yes; and I think it will be an encouragement to htem to go.

17286. You have, apparently, in your mind practically the eventual abolition of the Indian Civil Service, and the Provincial Civil Service taking its place, according to the end of your note. Is that what you are thinking of?—No. I think the Provincial Civil Service should be expanded; so that it will take a large quantity of work out of the hands of the Indian Civil Service, and that that Service should be kept down to a moderate figure.

17287. You would not want to see it abolished?—No; far from it.

[Adjourned for a short time.]

17288. (*Mr. Chaubal.*) Will you give us some more definite idea of the sort of preliminary selection that you would propose for the candidate going from India?—My idea was that he should pass an examination of such a standard that would compel him to stay in England for three years before taking up his examination for the Civil Service.

17289. I do not quite follow you. You want first an examination to be held before the selection?—Yes, examination to be held before selection in India; but it need not be a special one, it need be only the university test; whatever university test is decided upon is immaterial.

17290. It need not be necessarily a separate examination to be held before the selection?—No.

17291. Your idea is that whatever fitting university test may be thought of should be fixed?—Should be fixed.

17292. That is, from only candidates or boys who have passed that university test the selection should be made?—Exactly.

17293. Now we pass on to the selection. Who is to make the selection?—I think the person should be the head master or principal of the school from which he graduated.

17294. One moment's interruption. You do not necessarily propose that graduation is necessary; you want only a certain amount of collegiate education?—Yes.

17295. And some university test: it may be the Intermediate or it may be the B.A.?—It may be B.A. or Intermediate, as the authorities think best.

17296. Then as to selection, I want to have your idea as to who is to select them, seeing that they have left school two or three years previously?—They must have been in college; they must get nomination from the principal of that college.

17297. I want to know who your selecting body is to consist of?—In the first place, the last head-master or principal that he has worked with, and then there should be what I call an authoritative selecting body.

17298. But who is to be that body?—That is to be a body nominated by Government, the same as they have for members who come out for the Public Works Department. The standing committee at home select all the candidates, go through their diplomas or their certificates, and from a large number, the number required is selected by this committee.

17299. May I know first with what object the selection is to be made by this committee; what are they to look for in the selection?—They can make enquiry as to the kind of family the man comes from.

17300. What else?—Compare certificates of character; they must look at his physique and see his personal . . . .

17301. You have seen certificates of character, "I hereby certify that so and so is of very good character," etc. He will get a hundred of these certificates; how are you going to make a selection from them? I want you to appreciate the practical difficulties in the way of selection, because you will be shutting the door against some persons who may have the ambition to go and compete?—The door would not be shut if the man has the qualifications. Why should the door be shut, if you had a selecting committee whom you can trust?

17302. That is just the point, whether we can, by this process of appointing a committee, get at the desirable end, that only proper persons come in and that no proper persons are shut out?—I can think of no better way of selecting people for qualities which no examination can test. I think it is done for the Army in England and, as I told you, it is done for the Public Works Department in England, and I base my opinion on what has been decided there. It has been found to be better than having no selection at all.

17303. For the Public Works Department there is selection by the Board which only allows certain men to compete; is that so?—No; it is after they passed their examination and received their diplomas.

17304. That is a different thing. According to your scheme you are asking us to select boys who have reached a certain university standard?—That corresponds to the diploma; we start with that.

17305. As a concrete case, say from India, from all provinces, you get 600 students who have reached that standard. From among these 600 students, suppose you have got to select 100 persons for being permitted to appear for the examination, how will you come to this number 100?—I do not assume that any principal of a school or head-master would send up the boys of his school for service of this sort in large numbers. He would send only from among the best boys, boys who he thought would pass a selective test. He would limit them to a very small number, I think, in practice. It is not a thing which they can do indiscriminately, because it is a special service and special test; and they will be very careful whom they send up.

17306. This select committee is to judge about the probable efficiency of the candidate, after he shall have passed a competitive examination, as to whether he will be a proper servant or not?—Exactly.

17307. Rather a difficult task: is that what you call authoritative selection?—Yes.

17308. That is to say by the board?—By the board which the Government approves of and appoints.

17309. Why do you say in your memorandum that, from your experience in your own service, if there is simultaneous examination, then the persons who pass that examination will almost be looked down upon as an inferior service?—Because that has been my experience. I know there is that feeling.

17310. Perhaps I may be wrong. I wish to know your experience of simultaneous examinations?—Not a simultaneous examination, but an examination for the same service and the same qualification: one examination in India and one in England.

17311. But here those advocates of simultaneous examinations contemplate practically the same examination as takes place in England?—Exactly.

17312. According to them, there is not to be any difference between the examination in England and the examination in India, any more than the difference which now exists between the examination in England for one year and the examination in England for another year. That is what they suggest. If there should be one examination in England and a simultaneous examination by the same examiners six months after, in India, I do not yet follow as to why those who come out successful in this second examination will necessarily be considered to be inferior?—Because, as I say, the prejudice is not based only upon the examination; it is upon the personality of the individual, and they always hold the person who has passed his whole career.

17313. Do you think there is some sort of inferiority on account of the *personnel* of the Indian members of the Indian Civil Service who are at present coming through only one door?—To my mind Indian members of the Indian Civil Service whom I have met have had absolutely nothing to say about that. That is my point of view.

17314. I mean the Indian section of the Indian Civil Service. You say that the inferiority will not attach merely because of the competitive test, but because of the *personnel* of the candidate?—Yes.

17315. If I understand you rightly, it is because Indians will be getting through this Indian door?—Not only an Indian but even an Englishman who gets through the Indian door would not be thought as much of as the Englishman who passed through the door in England. I do not say that feeling is justified; but I say it exists.

17316. In order to say that it exists, we have no parallel case here?—Not quite parallel, because examinations are not simultaneous but practically the same, because examinations in India are admitted to be as good as those held in England for certain Services.

17317. Why do you think those qualities are wanting in the Indian Civil Servants amongst the Natives of India: why do you think that those qualifications which are desirable are not necessarily secured by the test of competition, what you call character, force of character, one thing and another?—Because it is not admitted to be secured by that even in England. In England, the whole man is made up of education, and the results of the education and of his upbringing, his environment and his heredity—all these things, of course, go to make up a man; and the general feeling now is that all these qualities do not prevail in India to the extent they do in England, and the competitive test is the only one.

17318. On account of difference in heredity and environment, you are not going to shut out Indians altogether?—Certainly not; oh no!

17319. If you are going to shut them out, I can quite understand that Indian candidates should imbibe the spirit of British administration and the scope of their education, and their mind should be enlarged by residence in England, by acquaintance with Western institutions, all that I concede. But if you have that, why should not competition be taken to be sufficient test of the rest?—So it is.

17320. What is proposed is that those candidates who pass through simultaneous examinations here should go and reside in England under proper supervision for two or three years and get as much education and British spirit of administration, of local self-government and other institutions, such as they possibly can during those two or three years?—I think it is rather too late; I think the time to go and absorb these principles is the time when you are young, before you will have been moulded for your career, and not after you have finished your educational course; it should be a part of your educational course. The man now goes too late; that is my view.

17321. In the Provincial Service do I understand you to propose that there should be a time-scale rising from Rs. 250 to Rs. 1,000?—Yes.

17322. You would distribute that in what number of years?—I should say about 18 years, basing it on my own experience of my own service.

17323. After 18 years from the commencement of his service on Rs. 250 he should get Rs. 1,000?—I think so.

17324. Have you worked out any increment?—No, I have not gone into the figures in detail; but I think if they were worked out, it would be found to be fairly satisfactory to the persons concerned.

17325. Then I see you propose that the pensionable period should be increased to 60 years?—I do; I do not know if it comes within the scope of this enquiry, but I throw it out as bearing upon the pension question.

17326. It is only as relevant to that, I ask you. You propose that equally in respect of both the branches of the Provincial Service, Judicial and Executive?—Yes.

17327. You don't think from your experience, that an executive officer—I mean an Indian Executive officer—after 55 gets rather done up, or do you think he has much work left in him?—I do not think that at the present day he has passed work, because many of them take up responsible work after retiring.

17328. At the same time, don't you see instances of people complaining that they should retire and not get extensions as there is not enough in them?—If it is against the interests of the Public Service, it should not be done; but in the case of individuals who have broken down, retirement ought to be made compulsory, not only at 55 but at any time.

17329. With that limitation, I suppose, that if a person is physically and mentally fit, his service can always be extended up to 60?—I do not think so; it was not in my case.

17330. (*Sir Theodore Morison.*) You belong to a Service that was partly recruited in England and partly in India?—Yes.

17331. Will you please tell the Commission about that; who were the people that came from England and how were they selected?—From 1872 they came from Cooper's Hill.

17332. Where did they come from in India?—From two or three colleges; one was Roorkee.

17333. What class of people were selected: who were the candidates from Roorkee and the Indian Engineering colleges—were there any Indians?—Not at first; at first there was a large number of domiciled Europeans.

17334. Pure Europeans?—Yes, and Anglo-Indians and also Indians.

17335. Therefore you had from Roorkee Europeans, Anglo-Indians and Indians?—Yes.

17336. What was the state of feeling between the English who had their education at Cooper's Hill and the pure European who was educated in Roorkee: were the latter looked down upon?—The feeling for a long time was that one was as good as the other.

17337. There is one question I want to ask you: how were they graded?—In the same way.

17338. How were they recruited?—With this small difference, that the men from Cooper's Hill came out in the second grade of Assistant Engineer and the men from the Indian colleges came to join the third grade of Assistant Engineer.

17339. They were on one list?—At first.

17340. Pay the same?—Pay the same at first.

17341. Therefore, the official treatment was absolute equality?—In these respects not altogether.

17342. I say officially?—There are other points to be considered.

17343. What I want to know is, as far as Government was concerned, if they were treated alike?—Yes, in a general way; but there were details.

17344. Was there a social gap in spite of that?—Not at first.

17345 How do you mean: will you explain?—You see afterwards they introduced what is called the Provincial Service.

17346. I want before that, before the Provincial Service was introduced?—There was no social gap then.

17347. They were treated alike according to you; there was not the same taint of inferiority or provincialism?—Not at first, no; that, I say, grew.

17348. When?—And it exists now.

17349. When?—The fruit of its growth is the creation of the Provincial Service.

17350. Do you think it is a complete explanation? Did you not hear that the Englishman, born and bred up in this country, had the taint of provincialism in the eyes of most Englishmen born and educated in England?—He had too.

17351. What do you suggest as the remedy?—I say social prejudice is very hard to remedy. But at the same time I think that this disqualification should be removed as far as possible.

17352. How would you remove it?—In the first place, I would abolish the Provincial Service. If the men do the same class of work and do it equally well, I will make it one service.

17353. I understand you make certain proposals. Do you think that, in the case of the Roorkee man, if he had been sent to England, that would make him more equal in the eyes of his colleagues, men from the Cooper's Hill?—I think if they came from the same college and through the same examination, they would not make the same difference; if they played football together, and attended the same social club, they would feel a comradeship in this country which they do not feel now.

17354. So your remedy is that they should be educated as much as possible together?—Just so.

17355. (*Mr. Mukherji.*) You have no intimate knowledge of the work of the Indian Civil Service nor of the Provincial Service?—Not of the detailed work, as I never belonged to the Service.

17356. Does this note represent your own views or that of your association?—My own views.

17357. Would you tell me what your academic qualifications are; whether you passed from Roorkee or elsewhere?—I passed out as an Assistant Engineer from a college which does not now exist—it was a branch of the Presidency College; it was abolished very many years ago.

(The witness withdrew.)

KEDAR NATH CHAUDHURI, ESQ., Munsif, Second Grade.

Written answers relating to the Provincial Civil Service.

17358 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I understand I am not required to answer questions which do not concern me, which I take to mean questions not relating to the Judicial Branch of the Bengal Provincial Civil Service to which I have the honour to belong. My answers will, therefore, refer generally to that branch of the Service. In my humble opinion, the conditions defined in the Government of India Resolution, while they may be said to be generally suitable, call for modification in some respects, so far as my branch of the Service is concerned. The first condition should stand thus:—"The rules must be adapted so as to obtain thoroughly efficient candidates," and I would delete altogether the other portions of that condition. Whatever may be the case as regards other departments of the administration, in the Judicial Department efficiency ought to be the only test of recruitment, and no question of representation of the different classes of the community ought to come in. I do not think there has ever been anything like a popular demand for such representation, or that there has ever been any complaint, that impartial and efficient justice has not been administered by the members of the Service, though there has not yet been any appreciable representation in it of the different classes of the community as required by this condition. I shall deal with this matter more in detail in my answer to question (8). Conditions IV and VI should, for obvious reasons, be done away with altogether. I am deliberately of opinion that, besides a sound knowledge of law, an intimate knowledge of local conditions, of the customs and habits of the people and of the special traits of their character, is essential to an efficient administration of justice. The classes of candidates which these conditions contemplate, cannot be expected to have such knowledge, and this is a positive disqualification. I am not aware that any persons of these classes have hitherto sought admission or been admitted in our branch of the Service. These conditions have thus been a dead letter and are likely to remain so for a long time to come. They are, therefore, practically useless. Besides, there is no lack of qualified men in the province. Condition V should also be modified by deleting the words commencing from "in the case of candidates" to "condition of admission." The last part of this condition also requires modification, in that it insists upon three years' practice in the Bar as an essential qualification. This period is, in my opinion, too long, and prejudicially affects the prospects of promotion and pension of the recruits. I shall deal with this matter more fully in my answer to the questions relating to the methods of recruitment.

17359 (2). Please supply a copy of the Rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Subject to the conditions laid down by the Government of India, the High Court makes rules for the recruitment of the Judicial branch of the Provincial Service, and also makes the selection of candidates. This is, in my opinion, quite in the fitness of things. A copy of the rules can be had from the said court. They require, among other things, that a candidate must not only have obtained the University degree of Bachelor in Law or, in other words, be a vakil or a pleader or barrister, but must also have been in active practice for a period of three years, before his enrolment as a selected candidate for appointment to the Service; that at the time of enrolment, he must not be above 27 years of age, and that should he fail to secure at least one recognized (gazetted) officiating appointment before he is 29 years of age, his claim to appointment in the Service would be gone. The rules are defective in some respects and too exacting in others. In the first place, they do not fix any time for selection, or the number to be selected for any particular year, as the rules for recruitment of the other branch of the Service do. In practice, applications for enrolment are made throughout the year, and I think, practically, all candidates who satisfy the test, unless they are considered otherwise undesirable, are enlisted. This is, I think, not desirable, and fails to secure the best men always. A certain number of candidates, in consideration of the requirements of the service, ought to be fixed for every year, and there ought also to be fixed a definite period in the year within which applications should be submitted by the candidates and then selection made of the best candidates among the applicants. This will not only save much time and trouble of the Honourable High Court, but also go a great way to ensure the recruitment of the best available candidates. It is needless to add that, though the existing system has generally worked well, it cannot be said that the choice of recruits has hitherto been the very best that could be made. In the second place, the rule requiring three years' practice in the Bar ought to be modified. The object is clearly to train up the candidate for his work. But this training is hardly necessary, when it is borne in mind that even after enlistment the selected candidate has to be in practice, and to officiate off and on, as a Munsif, for two to three years before he gets a permanent appointment in the Service. This suffices to train him up for his work and no further training is necessary or should be insisted on. Either this training or three years' practice, but not both, ought to be sufficient, and if three years' practice before enrolment be insisted upon, the candidate ought, on selection, to be appointed at once to the Service. Under the existing system an officer seldom gets confirmed in the Service before he is over thirty years of age. This not only reduces his aggregate emoluments by curtailing the duration of his service, but also prejudicially affects his prospects of promotion and the amount of his pension. This is a real and substantial grievance and should be removed.

17360 (3). Please see the statement showing the constitution of the Provincial Civil Service reproduced as Appendix B to these questions, and state whether the information is correct for your province?– The statement is correct.

17361 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—The system of recruitment stated in answer to question (2) has been in existence for a long time and there has not been any change except as regards the age-limit of the recruits. No limit is fixed as to the number of officers recruited every year. Vacancies are filled up as they occur from among enlisted candidates in order of seniority. On an average ten to twelve such candidates are annually absorbed in the Service.

17362 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year?—There is no such recruit in my branch of the Service.

17363 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—As already stated above, there has been followed hitherto practically one system of recruitment as regards my branch of the Service, and it has, I think, on the whole worked satisfactorily. There is, however, as I have already indicated above, room for improvement on the lines suggested. The existing system may be said to combine in it competition and nomination and ought to serve the purpose very well, and I would not have it changed or modified except as suggested in my answer to question (2).

17364 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Non-residents have not hitherto, to my knowledge, sought admission or been employed in my branch of the Service. To the second part of the question my answer is emphatically in the affirmative.

17365 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I do not think they are, or that they should be, unless they fully satisfy the test. I have already given it as my opinion that efficiency alone ought to be the one passport for entry into my branch of the Service, and that no consideration such as this ought to be allowed to come in. There is, in my opinion, no scope for such a consideration here, and to allow it to come in would necessarily have the effect of lowering the standard of efficiency. There are practically two communities in Bengal—the Hindu and the Mussalman. The domiciled community and the Indian Christian community are in a microscopic minority, and I do not know that they have hitherto qualified under the rules or sought admission in my branch of the Service. They will certainly have their claims allowed when they qualify themselves so as to be able to hold their own against candidates from other communities. The Hindu element certainly preponderates now in the Service. This is simply and certainly because they have qualified themselves more than the other communities. If there have not been more Mussalman recruits yet in the Service, it is because more qualified candidates among them have not been available. It is, in my humble opinion, fundamentally wrong to introduce a sort of communal representation in the Service. If Mussalmans, or for the matter of that, Indian Christians or members of the domiciled community, better qualify themselves or show better aptitude for judicial work, I, for one, would have not the least objection to the entire Service being manned by them to the exclusion of the Hindus. For, after all, it is the efficiency and the purity of the Service that should be the only consideration in the choice of the *personnel* thereof.

17366 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—I have already, in my answer to question (2), stated the system adopted for the training and probation of recruits for my branch of the Service and have also pointed out in what respects it requires change. The aim ought to be to secure that the recruits get confirmed, as early as practicable, in the Service, at any rate before they complete the age of thirty years, so that there may not be any reduction in the amount of their pension or any unnecessary reduction in their aggregate emoluments.

17367 (10). Is the existing system of departmental examinations suitable and, if not, what changes do you recommend?—There is no system of departmental examinations in our Service and none is needed. While recruits for the other branch of the Service qualify themselves for their work after they are appointed to the Service, officers of our branch of the Service have to qualify themselves before they are appointed to the Service.

17368 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I would have one High Court judgeship, many more District judgeships, and some more Presidency Small Court judgeships included in my branch of the Service. In my humble opinion, the entire Judicial Service in the province, from District judgeship downwards, should be one service.

17369 (12). What is the system on which the strength of the Judicial Branch of your Provincial Civil Service is fixed? Do you consider it satisfactory and, if not, what alterations do you recommend?—I am not aware that any system is followed in fixing the strength of the Judicial branch of any Provincial Civil Service. As far as I see, necessity regulates the strength and no particular system is necessary. I should, however, observe that the present strength of the Service is not commensurate with the necessity. It is an admitted and undeniable fact that we Judicial officers are, as a body, very much overworked, and have also to do our work in breathless haste. The result has been premature death and incapacitation in many cases, and general physical breakdown more or less of the entire force. The Service is very much undermanned, and for every three officers now employed, there ought to be another officer added to the Service. Judicial work has increased by leaps and bounds without a proportionate increase in the strength of the Service. No doubt, in almost every district, a number of extra officers is employed from time to time to work off accumulations of work in the permanent courts. But this is mere patchwork and does not give any appreciable relief to the officers of the Service. There is another aspect of the matter that should not be lost sight of. It is true of judicial work as much as, if not more than, other kinds of work, that anything done in haste is done badly. Judicial work more than anything else requires patient and careful analysis, and sifting of evidence and sober thinking and deliberation. All this cannot be done in haste. The result is a deterioration in the quality of the work, though there has been much improvement in the quantity thereof. Given sufficient time, I daresay the quality of our work would be very much better. It is a bad thing that quality should thus be sacrificed to quantity. The situation, in my opinion, does not admit of delay and ought to be grappled with by an all-round increase of strength of the Service to the extent suggested above.

17370 (13). In particular, is leave reserve adequate, and the system on which it is graded suitable?—There is no leave reserve as regards the Judicial branch of the Service and, under the existing system, none is necessary. Leave applied for is generally allowed and the vacancy caused thereby is filled up by appointment of some one among the enlisted candidates.

17371 (14). Is there any reserve for officers under training and is it adequate?—There is none and none is necessary under the existing system of recruitment of any branch of the Service.

17372 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—There is no fixed annual rate of recruitment. There is always a sufficient number of enlisted candidates to provide for any casualties by death or retirement. This has, I think, worked well and has not interfered with the even flow of promotion.

17373 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—In the Judicial branch of the Service, all appointments in the higher, as those in the lower grades, are made from the next lower grades in order of seniority. The Government of India resolution lays down (and this has been supplemented by the High Court rules) that seniority alone would not give a claim to appointment to the grade of Rs. 500 a month and higher grades. But in practice promotions to these grades also are given in order of seniority, and in very few instances have there been supersessions. It is presumed that these supersessions were due to inefficiency of those superseded. I venture, however, to suggest that the inefficiency of officers ought to be detected earlier, and the officers considered inefficient ought either to be compulsorily retired or transferred to some other office under the Government, for which they may be deemed efficient. The work of a Judicial officer is practically the same whether in the lower or in the higher grades of the Service, and there ought to be no scope for bungling anywhere. Beyond this, I am not for any change in the existing system. To be more explicit, I would have all the higher grade appointments reserved for the members of the Service and would not have any outsider pitchforked in any of those grades.

17374 (17). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—My answer to the first part of this question is in the affirmative. I have already stated my views as regards the other part of this question in my answer to question (16.)

17375 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—The two branches of my Provincial Service have distinct and well-defined functions assigned to each. The Judicial branch administers Civil laws and the other branch administers Criminal laws and Revenue laws in part, and the two are wholly independent of each other. This is all right, and I do not think any change is called for or desirable.

17376 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—My answer to both sections of the first part of this question is in the negative. I have already given it as my opinion that the entire Judicial Service of the province, from the District Judge downwards, should be one service, and I would have at least half the number of District judgeships thrown open to the officers of my Service, and of the other half one moiety reserved for members of the Indian Civil Service, and the other moiety thrown open to the pleaders of the High Court and barristers of at least ten years' standing, who have shown distinguished ability in the service of their profession, *within the province*, and have a thorough knowledge of the vernacular. I do not know and have not been able to gather what system is followed in making appointments to the posts listed as open to the officers of my Service. The practice hitherto followed is to appoint some officers of the lowest grade of Sub-Judges to be Assistant Sessions Judges and then appoint them as District and Sessions Judges. The consensus of opinion of the Service appears to be that the selections hitherto made have not been, except in isolated cases, the best that could be made, and the impression is gaining ground that it is not officers of real merit but the pushing only, who have a chance of being selected. This impression ought to be removed and efforts made to select the really meritorious and deserving among Sub-Judges of all grades. It should also be pointed out that even of the few posts that have been listed open, the full number has not yet been conferred on members of the Service. Only a few of them have actually been filled up and the officers appointed were appointed to them when they were on extension of service and, therefore, shortly before their retirement from service. The Service therefore has not been to any appreciable extent benefited by these posts being listed open to it. It is not known why the full number has not been appointed yet. There is certainly no lack of men of proved merit and ability. It is needless to add that the full number should be appointed and the officers selected should have time to hold the posts for a fairly long period. If these posts were not intended to be actually conferred on members of the Service, it were much better that they were not listed open at all. That would have obviated the disappointment and consequent discontent among the members of the Service.

17377 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I do not think there is anything in a name, and so do not feel any necessity for a change in the designation I should think, however, that the designation "Munsif" requires change. It is a relic of a by-gone age and conveys no meaning except to those who have knowledge of the constitution of the Service. I think "Assistant Judge" would be an appropriate designation.

17378 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87 and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle recommended by the Public Service Commission is sound so far as it goes; but that ought not to be the only principle followed in adjusting the conditions as regards the salary of the Services. Considerations of adequacy of remuneration and its sufficiency to enable the officers to live in comfort and in a style befitting their position, and also to make some provision for their families, should enter very largely in their adjustment.

17379 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—The last general reorganization of the several grades of Munsifs only was effected in March 1902, and thereby a few posts were added to the Service, and they have been graded so as to include a larger number of posts in the higher grades and to reduce those in the lower grades. This has had the effect of making promotion from the lower grades more rapid, but that in the higher grades rather slower than before. The result has been that an officer has now no chance of becoming a Sub-Judge before he has put in twenty years' service or more, that is, before he has only a few years more to serve. This is deplorable. The case had been made worse by the separation of the cadre consequent upon the partition of Bengal, whereby instead of twelve posts of Sub-Judges there were added as many posts of Munsifs to the cadre for East Bengal and Assam and formed into a new grade at the top carrying salary of Rs. 500 a month, and the number of Munsifs in the other grades was reduced by that number. The reversal of the partition has not improved matters. On the other hand, the impending separation of the cadre for the new province of Bihar and Orissa will make the prospects of Bengal officers worse still. The proposed separation of cadre will give to Bengal 42 Sub Judges and so many as 245 Munsifs, and to Bihar and Orissa 20 Sub-Judges and only 68 Munsifs It is needless to point out that something must be done to equalise the prospects of officers of the two provinces who have hitherto been members of the same Service.

17380. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. I would divide the Service as it now stands into six grades with pay as follows:—

Sub-Judges.—First grade on Rs 1,100; second grade on Rs 900; third grade on Rs. 700.

Munsifs.—First grade on Rs. 500; second grade on Rs. 400; third grade on Rs. 300.

If my suggestion made in answer to question (19) be accepted, I would divide the Service as follows:—Sub-Judges and Munsifs in grades as above and District Judges into three grades with pay as follows:—First grade Rs. 2,000, second grade Rs. 1,600; and third grade Rs. 1,250 per mensem.

It must be added that the above scheme contemplates a separation of the two functions of District Judge and of Sessions Judge, now combined in the same officer. It is a notorious fact, that the work of the office has so much increased that it has become extremely difficult, if not impossible, for the same officer to perform both these functions satisfactorily. In my humble opinion, each of these functions requires a whole-time officer for their proper and regular performance. The truth of this fact will, I daresay be borne out by every District and Sessions Judge and is also patent from the fact that there is hardly any district of any importance in which the services of an additional District and Sessions Judge have not to be entertained for a considerable part of the year. There should, therefore, be District Judges purely so called, entrusted with the duties by law assigned to them, to be the head of the judiciary in each district, and the Sessions Judge with all the duties of his office placed at the head of the magistracy in the district, each exercising the same powers of control and supervision over the officers under them. I would, for the present, have members of the Indian Civil Service only as Sessions Judges, for, in my opinion, they are, by their position, education and training, eminently fitted to discharge satisfactorily the duties of Sessions Judges, though I doubt not that in due course of time, given proper facilities and training, members of the Executive branch of the Provincial Civil Service would be found equally competent to discharge those duties. This, I mean the separation of the functions of the District Judge and Sessions Judge, will be, in my opinion, a longed-for and a very desirable change for the better, and will meet with universal approval. I should add, that in case this improvement be decided upon, I would leave, for the present, the existing scales of pay of members of the Indian Civil Service, who may be appointed as District and Sessions Judges of the Provincial Service, undisturbed, though I venture to think that it will be found quite possible to have the same scales of pay for all the officers, whether members of the Indian Civil Service or of the Provincial Civil Service appointed as District and Sessions Judges in the due course of time.

As regards my Branch of the Service, the existing grade of Rs. 200 has already been done away with as regards the Executive branch of my Provincial Civil Service, and there is absolutely no justification for its retention in the Judicial branch thereof. I should think that Rs. 250 a month also is not adequate even for the lowest grade of that branch of the Service. It is, in my humble opinion, a mistake to adjust the conditions of the Judicial branch of the Service as regards salary on a comparison of those of the other branch of the Service, for there can be no analogy between the two. Higher qualifications and training are required of recruits for the Judicial branch of the Service; their duties are more onerous, difficult and monotonous; they have to begin service much later than their compeers in the other branch of the Service; their aggregate emoluments and their prospects generally are much lesser than those of members of the other branch of the Service, and the leave rules are also in some instances less favourable regarding them. There are other points of difference also. In short, the two branches of the Service are dissimilar almost in every respect. What is, therefore, considered adequate as regards the salary of the Executive branch of the Service cannot be considered adequate as regards the the Judicial branch thereof. If it is considered necessary to maintain a marked difference in the scales of pay of the two branches (Judicial and Executive) of the Indian Civil Service, I fail to see why there should not be the same difference in the scales of pay of the two branches of the Provincial Civil Service. I have to point out that, unlike the Executive branch, the Judicial branch of my Provincial Civil Service brings in a very large net income to the Government, and on that account also deserves to be fairly, if not liberally, dealt with as regards pay and pension, etc.

17381 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. There ought to be officiating promotions all round as in the Indian Civil Service.

17382 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—I am for the substitution of a time-scale of pay for the present system, for all grades of the Service as it stands now, but not for grades of District Judges should they be included in the Provincial Service as suggested by me.

17383 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—My answer would depend upon the scales of salary proposed for each main class of appointment.

17384 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—The little experience I have is favourable. It has the effect of removing discontent and irritation caused by deferred promotion, be it due to whatever cause it may. This is in itself a thing very much desirable in order to have a contented service.

17385 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the Service is different?—I have already stated in my answer to question (26) that I am in favour of a time-scale of pay for my branch of the Service. I would have the same scales of pay that I have set forth in my answer to question (24) for the time-scale also, and in my opinion four years' approved service ought to entitle an officer to the next higher scale of pay all through. Barring intentional remissness, and partial incapacitation due to disease or other causes over which the officer has no control, there ought to be no bar to the grant of increment to officers on their completing the required period of service. To persons officiating as Munsifs should be paid acting allowance at the rate of Rs. 250 per mensem. I have already given it as my opinion that the scales of pay for the two branches of my Provincial Civil Service must be different, and that a higher scale of pay should be given to the officers of the Judicial branch. I have already given my reasons for this opinion. I would here request a perusal of the evidence given before the Public Service Commission of 1886 in support of my position. There was a remarkable agreement among the witnesses, official and non-official, including the Chief Justice, the Lieutenant-Governor and the Advocate-General of Bengal, as well as many eminent members of the Indian Civil Service belonging to both the Executive and Judicial branches thereof, in the opinion that Munsifs were better qualified, more highly educated, more efficient, and as a body superior to Deputy Magistrates as Judicial officers. What was true then is equally true, if not more so now. I should think that the existing scales of pay are adequate as regards the Executive branch of my Provincial Civil Service. Of course I would not grudge them being more liberally paid, should the finances of the State permit it. But I think, while being just and fair to the servants of the State, as regards the remuneration for their services, care should be taken not to add unnecessarily to the burden of the State, and that adequacy of remuneration ought to be the guiding principle in the matter.

17386 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No. There is hardly any justification for this arrangement. The pay of the posts ought to be the same in all cases, and there ought to be no distinction between members of the Indian Civil Service and those of the Provincial Civil Service in this respect. I have already in my answer to question (24) expressed my views in this matter. I would fix the pay of the post of District Judge at Rs. 2,000 for the first grade, at Rs. 1,600 for the second grade and at Rs. 1,250 for the third grade. I have further stated that I would, for the present, leave the existing grade pay of Indian Civil Service District Judges intact. This is because, in my opinion, reduction of pay would operate as a hardship in individual cases and cause disappointment in the case of the other present members (junior members) of the Indian Civil Service who have entered service with hopes of drawing salary at the existing rates should they go in for the Judicial Service. I have, however, suggested that this inequality should, in due course of time, be done away with. I have only to add that the separation of the two functions of the District Judge and Sessions Judge proposed by me would relieve the District Judge of much responsible and heavy work and the scales of pay suggested by me ought to be adequate for the rest of his work.

17387 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—It may be said generally that members of my branch of the Service take now more leave than they used to do before. My idea is that this is mostly because of the severe strain that excessive and incessant hard work puts on their system, so as to make it absolutely necessary for them to take rest, in order to keep in health, if not to avoid a physical breakdown. Leave on medical certificate is taken more largely now than before and cases of long leave are more frequent now.

17388 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Leave on full pay is not allowed to the members of the Judicial branch of the Provincial Civil Service. This is an injustice to a very deserving class of public servants who are admittedly the most hardworked. The period of privilege leave should be extended to one and a half months or at least to six weeks for every calendar year and there ought to be no limit to its accumulation. The full amount that accumulates should be allowed.

17389 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I should think so. There should be no curtailment of the period admissible under the present rules.

17390 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—No. The furlough allowances should be raised to three-fifths, if not three-fourths of the pay.

17391 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—No.

17392 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—It may be observed generally that there should be allowed some allowance in all kinds of leave ranging from one-fourth to three-fourths of pay.

17393 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration and, if so, what; and what remedy do you suggest?—I do not think they do or should do, so far as my branch of the Service is concerned.

17394 (38). In particular, are they a contributory cause of excessive transfers of officers and, if so, how can this difficulty be met?—The answer is in the negative as regards my branch of the Service.

17395 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Yes, as already stated above, members of the Judicial branch of my Provincial Civil Service are not allowed full-pay privilege leave. They are allowed half-pay privilege leave only, and even that they cannot, under the rules, claim as of right. This operates as a great hardship. Full-pay privilege leave should be allowed to them and they should be entitled to the same amount of right. As regards leave on medical certificate, the leave allowance admissible under the existing rules is, I think, inadequate and should be raised to three-fourths of the pay. The interval of six months between one period of privilege leave and another required by the present rules should be reduced to three months. Combination of all kinds of leave with vacation should be allowed and no limit should be placed as regards the length thereof. It is desirable that all classes of officers should be placed on a footing of equality of treatment as regards leave rules.

17396 (40). Is the present system of superannuation pensions satisfactory in the interest both of the Government and the members of the Provincial Civil Service?—No.

17397 (41). Have you any suggestions to make in favour of any modifications in its detailed working and, if so, what, and for what reasons?—As regards my branch of the Service, the amount of superannuation pension should be raised to Rs. 500 a month. This is, of course, as regards those who retire on completion of full 25 years of qualifying service. As to retirement pension for shorter periods of service, it should, in my opinion, be fixed as follows:—

For 10 years' service $\frac{10}{50}$, for 11 years' service $\frac{11}{50}$, and so on. This will be more equitable and fair, so far as the Judicial branch of the Provincial Civil Service is concerned, in which, under the rules, 25 years' service entitles the officers to full pension. The rule whereby for every year or part of a year by which an officer is above 30 years of age, when he is confirmed in the Service, the amount of his pension is reduced by $\frac{1}{40}$, should be rescinded, as it imposes a penalty on the officer for no fault of his own. Besides, this rule is not compatible with the recent rule sanctioned by the Secretary of State that officiating periods of service will count for pension.

17398 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The amount of pension should be enough to give them a decent living.

17399 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—No. They should get as pension one-half of their average monthly pay of the three years immediately before retirement, and in no case less than Rs. 500 a month.

17400. (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—If the time-scale of pay recommended by me be adopted, there would be no need for any change in the existing rules. If not, I would insist upon a more strict enforcement of the rules regarding compulsory retirement of officers on attaining the age of 55 years, except in very exceptional cases. The present practice of granting extension of service to almost every one who asks for same is very injurious in its effects. It not only acts as a block in the way of promotion of the junior members of the Service and thereby acts as a damper on their spirits (as there is nothing so sickening as hope deferred) but tends also to bring discredit on the Service by the retention therein of officers, who have, by reason of constant hard work throughout their career, become unfit for the due discharge of their duties. Besides, by a recent modification of the rules, sanctioned by the Secretary of State, officiating periods of service, previous to confirmation in the Service, count for pension. This must suffice to complete 25 years' qualifying service on attaining the age of 55 years, so as to entitle the officer to the full amount of pension allowed by the rules. Any hankering for being in office even after that ought therefore to be discouraged and the grant of extension of service ought to be the exception instead of the general rule that it is now.

17401 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary? I should think that they subscribe to the fullest extent they can afford to do, but I cannot be sure. If they do not subscribe more largely, it is, I am afraid, because they cannot save more. As regards the lower grades of my branch of the Service, the present limit of 12½ per cent. is, I think, sufficient, but not so as regards the higher grades. They can effect a somewhat larger saving, and to enable them to lay by a little more, the limit may be raised to 25 per cent.

MR. KEDAR NATH CHAUDHURI called and examined.

17402. (*Chairman.*) What is your caste?—I am a Brahman.

17403. You are a Munsif in the second grade?—Yes.

17404. You appear before us to give evidence in regard to the Judicial branch of the Provincial Service?—Yes.

17405. You confine all your answers to that branch?—Yes.

17406. In answer to question (1), you say you would not in any circumstances admit into the Provincial Service men who are not residents of the province?—That is my idea, because I have said that an intimate knowledge of the social conditions, manners and customs of the people, their ways of life and mode of thinking are absolutely essential.

17407. What are the present regulations with regard to the introduction of outsiders into the Provincial Service?—The Government keeps a wide opening: the Government resolution keeps a wide opening.

17408. Is there not a regulation that a man must have been resident for three years in the province before he is eligible for appointment?—There is nothing of the kind here.

17409. There is no regulation of that kind?—No.

17410. I understood there was. I think you will find there is one?—That is with regard to a particular class only, namely, the subjects of Native Princes.

17411. Here is the regulation which I will read to you:—Rule No. 5 of the resolution of the Government of India, dated the 19th August 1910, says, "Admission to the Provincial Civil Service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission"?—That is too short a period to acquire the requisite knowledge in.

17412. That is the regulation in practice now?—Yes.

17413. You do not think three years' residence is sufficient?—No.

17414. You want to insist upon permanent residence?—I should reserve all the appointments to the men of the province.

17415. Then you will have to alter the regulation and make the term of residence longer?—Yes.

17416. You say that the existing system of recruitment may be said to combine in it competition and nomination. You have no competitive examination, have you, at present for the Provincial Service?—In making the selection for the Provincial Judicial Service the university career of the candidate is looked into.

17417. You call it a competitive system; whereas it is only a qualifying test?—He will have passed a sort of competitive test before he is taken in.

17418. What is the competitive test?—The university examinations. The test which he should have passed is B.A. or M.A. and B.L. before he is eligible for selection.

17419. In answer to question (8), you speak of the importance of representing the communities. Have you ever found any difficulty in dealing with cases affecting Hindus and Muhammadans?—No; I never have.

17420. But you are of opinion that there should be adequate representation of the different communities?—Provided you have the necessary qualifications in your candidates, I would not object to the representation of the classes. By that I mean "efficiency". I would make efficiency the only test.

17421. The only test?—I would not bar out any class whatsoever.

17422. I will now come to your answer to question (12). There you sum up, in regard to the question of the strength of the Provincial Service, by saying that there "ought to be an all-round increase of strength in the Service to the extent suggested above." And above you enumerate certain additional posts that you suggest should be established?—I consider that the Service is very much undermanned and we have to turn out an amount of work which is physically impossible for any man to do for any length of time. I suggest that for every three men in the Service there should be an addition of one hand more.

17423. You find that this undue amount of work is universal in both branches?—I do not think so, but that is the case with regard to the Judicial branch.

17424. You are speaking of the Judicial branch?—Yes.

17425. From your own observation and from what you have heard, do you say that the same remark would apply also to the Executive branch?—The other branch has not very much to turn out, at any rate not as much as we have.

17426. You think that the Judicial branch has a great deal more work to do?—Yes.

17427. This heavy burden of work you speak of has been steadily increasing in recent years?—Yes, it has been increasing by leaps and bounds.

17428. So that all grades of Judicial Service are, in your opinion, overworked?—Yes.

17429. Your suggestion to meet this difficulty is that you should have one High Court Judge?—That is my submission.

17430. You say one Judge of the High Court: do you mean that the High Court Judge should be from the Provincial Civil Service?—Yes, once about 30 years ago, one member of the Provincial Judicial Service was appointed Judge of the High Court, and that for a very short time.

17431. What position did he occupy when he was appointed?—Subordinate Judge.

17432. He was moved from the position of Subordinate Judge to that of High Court Judge?—Yes.

17433. You say that was about 30 years ago?—Yes.

17434. That is rather an exceptional case?—Yes.

17435. You would like to see a recurrence of that appointment?—Of course, we do.

17436. You suggest many more District judgeships and many Presidency Small Cause Court judgeships should be included in the Judicial branch of the Provincial Civil Service?—Yes.

17437. As regards increase of strength, have you thought out the number that would be necessary?—I have an idea about that. It will be something like 75 or so for the whole of the Service.

17438. The whole number will be 75 as against what now?—The number at present is 245 *plus* 42.

17439. By what number would you suggest that the cadre should be increased?—At least by 75 more.

17440. Have you worked that out for the whole of the presidency?—Yes, for the whole of the presidency.

17441. That is a big round figure. Unless you can show us where the additions should be made, it does not help us very much?—The increased expenditure would be about 3 to 5 lakhs.

17442. I am not going into the question of expenditure. I am asking you how you arrived at that increase in the number?—In many stations there are three to four Munsifs and three to four Sub-Judges in headquarters, and if for every three officers we have one, in the place of three we will have four.

17443. That is how you make up your 75?—Yes.

17444. What are the particular grades in which you suggest that this increase of 75 appointments should be made?—In all the grades of Munsifs and Sub-Judges together.

17445. Do you know whether the rule which empowers the Government to appoint to higher branches of the Provincial Service is frequently exercised in this province?—It has not been exercised up till now.

17446. How many posts of District Judges are "listed"?—One-sixth, I think.

17447. How many?—Six posts only; we have four now, two having been taken away for Bihar and Orissa.

17448. Do you know to what extent there has been failure to fill up the listed posts from the Provincial Service?—Only a few have been appointed, I think.

17449. You say only four have been appointed, and you do not know how many could be appointed?—I think the whole number of listed appointments could have been filled up.

17450. I will come to your answers to question (24), where you make a rather important suggestion: that is, as regards the rates of pay. You divide the Service as it now stands into six grades?—Yes.

17451. Three grades of Sub-Judges and three of Munsifs?—Yes.

17452. What is the number of grades now?—Five grades of Munsifs and three grades of Subordinate Judges.

17453. Can you tell me what the present pay is in the five grades of Munsif as compared with your proposal?—I have not worked it out.

17454. Do you not know the pay of the grades?—I know that.

17455. What are they?—For the first grade the pay is Rs. 500.

11456. The same as your proposal—the pay of that grade would, therefore, remain the same?—Yes, Rs. 500.

17457. The second grade?—Rs. 400.

17458. The third grade?—Rs. 300.

17459. The fourth grade?—Rs. 250.

17460. The fifth grade?—Rs. 200.

17461. What you propose to do now is to cut out the two lowest grades?—Exactly.

17462. And merge them into the third?—Yes, and in the other grades.

17463. Now take the Sub-Judges. What are the present grades of pay?—Rs. 1,000 for the first grade, Rs. 800 for the second grade and Rs. 600 for the third grade.

17464. Therefore you propose an addition of salary of Rs. 100 to the first grade, Rs. 100 to the second grade and Rs. 100 to the third grade?—Yes.

17465. In the subsequent paragraph, you make this suggestion—that there should be a separation of the functions of District and Sessions Judges?—Yes, I have made that suggestion.

17466. Have you considered what that would involve in the way of expenditure in consequence of the duplication of offices?—Not exactly duplication. I do not think it will be necessary to duplicate the number of officers in every station, in all districts, because the work is not equally heavy in all stations. It is only in important districts an Additional District Judge has to be entertained for a considerable part of the year. As regards those districts, it would not be necessary to double the number.

17467. You would not make universal separation?—I do not think that is at present necessary or feasible.

17468. How would that affect the organization, if you have separation in some parts and you have combination of functions elsewhere?—That is not impracticable, I think, because in some parts of Assam we have Deputy Magistrates exercising the functions of Munsifs also; but in some parts the two functions are separated; for instance, in Sylhet.

17469. Already separated, are they?—Yes, in other parts of Assam the two functions are combined in the same officer, so that that is not impracticable altogether.

17470. Some districts have heavy sessions work and some others have heavy civil work, is that not so?—That will be so.

17471. When you get to the higher grades, the High Court for instance, do you anticipate there will be any difficulty, when an officer, who has been confining his attention exclusively to the civil work of a District Judge, and has had no experience of criminal work becomes a Judge of the High Court?—I do not think that there will be any difficulty in that way.

17472. He will be somewhat deficient in experience of civil or criminal suits as the case may be?—That would depend upon the sort of training and education given to the officer. If he were an all-round man, thoroughly trained in law and procedure, he should be all right.

17473. You will make him rely entirely upon his early training?—It would require, no doubt, some early training.

17474. You say you will retain, for the present, members of the Indian Civil Service as Sessions Judges?—I have said that.

17475. What is your reason for that?—Because the training they now receive as criminal judges from the very beginning particularly fit them for that post. From the very beginning, they are called upon to exercise magisterial functions. Sessions Judges' duties consist mostly of criminal work and for that work I think they are trained from the very beginning.

17476. Then you say that leave on full pay should be allowed to the Provincial Judicial Service, because it is admittedly the most hard-worked service. If they are, as you say, would it not be in their own interest to take leave annually?—They would take it every year certainly.

17477. You would like them to have the leave every year?—Certainly.

17478. Would you give them the option of accumulating the leave?—Yes, I would place no limit to the accumulation of leave.

17479. And in either case, whether it be annual leave or accumulated leave, you suggest that they should have full pay during their leave?—Yes.

17480. (*Sir Theodore Morison.*) I want to ask you only a few questions arising out of your reply. You propose the abolition of the rule of three years' practice at the Bar?—Yes.

17481. Why?—That is time practically wasted.

17482. Do they get no work at present? How is it wasted?—Because the recruit gets little work.

17483. In the first three years, he gets no practice?—Not much practice. If he gets himself enlisted, he has to wait for about two or three years before he gets officiating appointments.

17484. Does he get any practice during those extra two years?—Scarcely. Not much.

17485. Practically, then, the Munsifs, who are nominally recruited from the Bar, have had no experience?—Some experience.

17486. Not much?—Not much. In particular cases, of course, there will be fair experience, when it is more a matter of choice of the candidates to enter the Service.

17487. Is that practice diminishing? I mean to say the opportunity for young men to get work in the first three years?—Oh, yes; the Bar is getting overcrowded every year.

17488. The chance of getting practice in three years is, you think, less and less?—Yes.

17489. Then the test becomes less valuable?—Yes.

17490. In reference to your answers to the Chairman about the High Court judgeship, has the Government still the power to appoint?—Yes, the Government has the power.

17491. They have not exercised it?—They once exercised it about 30 years ago.

17492. For 30 years they have not exercised the power?—Because they could not find a Sub-Judge who had put in ten years' service as Sub-Judge. The rule entitles only a Sub-Judge of ten years' standing to be appointed to a High Court judgeship.

17493. Do you mean to say that there is no Subordinate Judge who has put in ten years' service?—Not as Sub-Judge.

17494. What is the age at which a man becomes a Sub-Judge?—On an average at about 51 or 52.

17495. So you contend that it is impossible under present conditions?—Yes.

17496. Would you like the regulation changed?—Yes.

17497. Is that what you want or do you want them to have quicker promotion?—In any case, I think the officer should be allowed to put in ten years' service so as to be eligible for promotion to the High Court. They should be appointed Subordinate Judges earlier, much earlier than they are now.

17498. You do not want the rule to be abrogated, but you want promotions to be made quicker?—If under the circumstances it is not possible for an officer to put in ten years' service as a Sub-Judge to be eligible for the High Court Bench, then I would have the rule changed. But if facilities are afforded to enable Sub-Judges to put in ten years' service, so as to become eligible for promotion to the higher grade, I would allow it to stand.

17499. That brings me to question (19). I want to know how you would promote more rapidly. You say, "efforts made to select the really meritorious and deserving amongst Sub-Judges of all grades". How would you accelerate promotion?—I have suggested a time-scale of pay. If that is adopted, I think an officer can expect to be a Subordinate Judge at the age of 45 or 44.

17500. But if you have a time-scale of pay, man would not necessarily find a vacancy among Sub-Judges. Then I want to know how he could get into the sub-judgeship more quickly than he would at the present moment?—I think, by increasing the number of Sub-Judges, in consideration of the fact that they are overworked, and also by abolishing the practice of investing Munsifs with power to try suits up to the value of Rs. 5,000 which it is the province of Sub-Judges to try.

17501. Suits above what?—Suits of value above Rs. 1,000 are triable by Subordinate Judges alone. But by an artificial process, the number of Sub-Judges is kept down by making Munsifs do the work of Subordinate Judges.

17502. Up to how much in this case could a man take cognisance of?—There is a fixed limit for that up to £ 2,000.

17503. With reference to question (24), will you tell me what is wrong with the name of "Munsif"? What is the objection that you have to it?—It is neither English nor Bengali.

17504. "Munsif" means a man who does *insaf*?—It is not understandable by the people generally, unless they know the constitution of the Service and the nature of the work he does.

17505. Is not the word known in Bengali?—No, except to those who know Persian; but the number of such persons is very limited.

17506. The word *insaf* is not known and the word Munsif is not understood: that is what you say?—It is not understood. I do not think that there is such a designation in any other department of Government.

17507. It is commonly understood in the United Provinces; there everybody knows what Munsif means?—May be, but I am speaking of Bengal.

17508. (*Mr. Chaubal.*) It would be much better if you give the Commission some information about your recruitment for the Judicial branch of the Provincial Service. Do you know what is the number of B. L.'s turned out every year on an average?—I cannot say exactly; it might be 300 to 400 every year.

17509. Do 300 to 400 pass the B. L. examination every year?—Yes; that is my idea, I am not sure.

17510. Let us take about 300. As regards the difficulty which your proposal launches us into, it is that, out of this 300, the Government have got to select a probationer for the appointment of Munsif?—I do not think it is every B.L. that applies for a place in the Government service.

17511. Taking the highest limit, it can only be out of 300 that persons could be taken into the Judicial branch of the Service?—Yes.

17512. You want to do away with the three years' practice?—Yes.

17513. Do you not think that, at present, there is a far larger supply than the annual demand for Munsifs in the Service?—Yes, certainly.

17514. Therefore, supposing all the applicants were entered in the list, then, within a very short time, you will come to find that, by the time the appointment is made the person has passed his B.L. seven or eight years previously?—That is what actually takes place.

17515. And therefore it is not desirable, you will probably agree, to take a person into the Judicial Service if he has either forgotten his law, or has not kept himself in touch with the law for these seven or eight years?—I do not quite follow you.

17516. Supposing I passed my B.L. in the year 1900, and I get a chance of being employed in 1912. Then it is just possible that between 1900 and 1912, I have either forgotten my law in 1912, therefore, I may not be fit for being appointed to the post of a Munsif in the same way in which I would have been if I were appointed in 1900 or 1901, or 1902?—Of course, if you would be lying idle and forget the little knowledge you had about law, you will reach that predicament; but otherwise not.

17517. Therefore it is, if your principle is followed, people will have to be employed in Government service with no better test for the Government to know than that they passed the B.L. some years back?—In that case, I would put the officer on probation for a certain period.

17518. We shall come to that. But it is thus that a certain period lapses between the qualifying test and the date of the appointment?—Yes.

17519. Then the Government say, "We want to see whether you have kept up your knowledge of law, whether you have kept yourself in touch with law after your qualifying test," and therefore they say that "you should have been practising at the Bar for a certain time"?—That is a suppositional case; it is never the case that a man never attends the court or never has any business in the court during the period of three years.

17520. Do you or do you not think that some age-limit is necessary for employment in the Judicial Service?—I think so.

17521. Which is the age-limit that you recommend?—As early as possible. I would suggest the same age-limit as is fixed for the other branches of the Service, viz., 25.

17522. As to Munsifs who enter the Judicial Service, at what age should they do so?—I am speaking of that. It should be, at the latest, at 25 years of age.

17523. Then all those who have passed the B.L and are above the age of 25 are to be weeded out?—Ought to be, I think, if the recruits are to be given a period of probation sufficient to train them up.

17524. I wanted to know really if you had thought about this question, because if you bring the age-limit down to 25, you will get very few. I find that the limit here is 27, in Bombay it is 30 and in Madras 35. I want to know if you had thought about the age-limit for the recruitment in the Judicial Service?—I think generally, in Bengal, graduates take their degree in Law at about the age of 24 or 25.

17525. If they get through their B.L. at the age of 25, then, as I say, there are so many B.L.'s that before your turn comes, you are sure to have passed 25?—I do not quite follow.

17526. When the time for employment comes, you will have passed the age of 25?—If the age-limit be 25, the selection has to be made at that age, and the man has to be on probation. I do not see where the difficulty comes in.

17527. Well, I will not press further but it seems you must work out the figures; you do not seem to go much further than that. You propose raising the salaries of different grades up to a certain limit, which you have given in your answers?—Yes.

17528. I suppose the work of a Munsif in Bengal and in the other provinces is much of the same character?—I have no idea about that.

17529. But surely you do not mean to say that you have no idea as to what work Munsifs and Sub-Judges ordinarily do?—I do not know what is the nature of their work in the other provinces. I have no actual experience of what is done there.

17530. You can certainly get an idea from the published administration reports as to the kind of litigation that takes place in the different provinces?—We do not get such reports.

17531. You do not get published reports?—No.

17532. You mean to say you do not get published reports—the Indian Law Reports, the Madras Series and the Bombay Series?—Yes, but they contain only isolated cases.

17533. From these isolated cases have you any reason to think that the character of litigation is different in different provinces?—I cannot say.

17534. I see that your proposed increment is absurd, if you compare it with what prevails in the other presidencies. Take, for instance, Bombay: there the jurisdiction of what you call a Munsif is up to Rs 5,000; but he starts only with Rs. 150 and rises up to Rs. 400. Till Rs. 400, they have jurisdiction up to Rs. 5,000, and they do not get as much as you propose in the shape of increment?—That depends upon the nature of the work.

17535. The nature of the work is far more responsible?—It is not the value of the suit that ought to decide the matter. I may have a suit valued at Rs. 5,000, which it takes me not more than two hours to decide. But in regard to another suit valued at only Rs. 5, it may take ten days to decide it.

17536. That is not a peculiarity to Bengal; that is the case everywhere?—I have no idea of the work of any other province.

17537. When the Commission have to make their recommendations they have to take into account the state and condition of things in the other provinces. I want to know whether, for any special reasons, in this presidency, the rise should be as you have proposed; whether you can give us any particular reasons which differentiate the case of Bengal from that of other provinces, to justify your asking for higher increments?—As I have said, I am not in a position to answer this question, because I have no particular knowledge of the work of the Munsifs and Sub-Judges in the other provinces, and the conditions that prevail there.

17538. About the separation of functions of District Judges and Sessions Judges, do I understand you to say that all the District Judges' posts, which are now held by the Indian Civil Service, should be taken away from that cadre?—I have not said that.

17539. You say, "the separation of the functions of District Judge and Sessions Judge will be, in my opinion, a longed-for and a desirable change for the better, and will meet with universal approval?"—Yes.

17540. What is your proposal?—What I propose is that there should be separate officers as District Judges and Sessions Judges.

17541. And you propose that, out of the total number of District Judges, half should be left open to the Provincial Service?—Yes.

17542. And Sessions Judges?—I have said that it will be for the Indian Civil Service.

17543. When you separate the two, you want to give the posts of the Sessions Judges to the Indian Civil Service?—Yes.

17544. So that the number of Sessions Judges will be the same as at present?—Yes.

17545. The District Judges will be half the present number under your scheme?—It will not be exactly half, but more or less.

17546. How many District Judges are there in all at present?—About 31.

17547. Under your proposal, I understand that the functions of these 31 officers should be separated and instead there should be 31 Sessions Judges and 31 District Judges, and out of the 31 District Judges, 15 or 16 should be Provincial Civil Service men: is that so?—That is not exactly the thing; if the exigencies of the Service do not require that there should be duplication of posts in every district, there should be no duplication.

17548. What do you get by having this duplication?—In certain districts the work has increased so much that Additional District Judges have to be employed for a considerable part of the year. That shows that the work has become too much for one officer, certainly. In these districts, it is quite feasible and desirable that the functions should be separated and there should be separate officers for performing those functions. Whereas in districts where there is not much work......

17549. Am I to understand that this recommendation is a part of any scheme for the separation of Executive and Judicial functions?—Yes; it is, to some extent.

17550. Then, under that scheme, so far as I understand it, Subordinate Judges and Munsifs have to be invested with criminal jurisdiction; have not they?—If you bifurcate the functions, if you have separate officers as District Judges and separate officers as Sessions Judges, I would like that the members of the Provincial Service should be appointed as District Judges only and not as Sessions Judges.

17551. You propose this, because you wish to have a wider field in higher posts for Provincial Civil Service men?—Yes.

17552. (*Mr. Sly.*) You said just now that a Subordinate Judge was ineligible for the High Court, unless he had served ten years as a Subordinate Judge?—Yes. That is one of the reasons.

17553. Are you sure that it is not the rule that he should serve for only five years?—I am subject to correction, but I think the rule requires that the Sub-Judge should be of ten years' standing before he can go to the High Court.

17554. As regards the changes in the rules of recruitment, why do you object to rule No. 4 which says, "the subjects of Native princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respect"?—Because they would not have the local knowledge which is necessary for the proper discharge of their duties.

17555. If the subject of an adjoining Native State has resided for three years in the province, do not you think he would have considerable knowledge?—I do not think he would have.

17556. A resident in Cooch Behar State, who has resided for three years in a Bengal district, you say, would not have knowledge of the Bengal conditions sufficient to be appointed to the Judicial Service?—He would have some of course, but not the subjects of Native States, on the other side of India. The rule is a general one; of course, it may be so for people living just close to Bengal to have such knowledge.

17557. You want to exclude even subjects of Native States close to Bengal?—I do not think there should be differential treatment for different subjects. The same rule ought to apply to all.

17558. Under that condition, you would exclude Europeans?—Yes.

17559. Europeans resident in India?—They must have been resident in India.

17560. You say that even after residence of three years it would not qualify them; they must be excluded?—In my opinion, three years' residence would not be sufficient.

17561. Then for the Judicial Service, it is essential to have residents of the province with good local knowledge?—Yes; that is my idea.

17562. Have you considered whether the same principle should apply to the Indian Civil Service appointments?—I do not think so.

17563. Would you say that Bengalis who pass the Indian Civil Service, should be excluded from every other province in India?—That depends upon the conditions of the Service.

17564. Is not the same principle applicable to them?—I think it is desirable that on the principle I have enunciated the officers selected for the Indian Civil Service should be posted to places of which they have local knowledge That would, undoubtedly, be a great advantage, I think.

17565. Now to come to your proposal as to the Judicial Service: I understand that you want the Judicial Service to commence with Munsif's grade and finish with the District Judge's grade: is that correct?—Yes.

17566. All included in one Service?—Yes.

17567. And then how are you going to bring your one-fourth Indian Civil Service men into that Service?—As they are at present recruited; with special training, I should think.

17568. You want them to enter the last grade of Munsif and rise like those who entered at the bottom of the Service?—That would be much better.

17569. That the Indian Civil Service man should be trained up just in the same manner as the man who has passed his B.L. examination, that he should enter the Service at the same age and on the same level?—Given him the training, it would not be necessary for him to serve as Munsif as long as we do.

17570. I do not think you quite understand what I want to know—whether he should come in as District Judge or come in as Munsif at the bottom of the Service?—He should begin at the bottom of the Service as Munsif.

17571. As Munsif?—Yes. There he will learn his work.

17572. You say that one-fourth should be recruited from vakils of distinguished ability?—Yes.

17573. You want them to come in at the bottom of the service as Munsifs?—My proposal is not that.

17574. I am trying to ascertain what your proposal is. You say that one-fourth the number of District Judges should be reserved for vakils of distinguished ability?—Vakils and barristers.

17575. And your suggestion is that they should also come in at the bottom as Munsifs, or where would you like to take them in?—The Government resolution is to the effect that a certain proportion of higher appointments may be given to vakils.

17576. Would you bring in vakils of distinguished ability as District Judges?—Yes, of course.

17577. Do you think that any vakil of distinguished ability of ten years' practice at the Bar would accept a District judgeship?—There may be some, I should think.

17578. Of distinguished ability?—Yes, may be.

17579. The prospects of the Bar are so poor that your vakil of distinguished ability would accept a District judgeship?—After all, it is not money which is the only consideration. With everyone it is not so. At any rate, as regards my humble self, it was not a question of money that made me select the Service, because, I think, at the time of my entry into the Service, I was doing much better than I am doing now from a pecuniary point of view.

17580. You think they will accept it?—There would be some who would put aside considerations of money and accept service.

17581. I now come to the statement you have made in answer to question (19) to the effect that certain listed posts have not been filled by Provincial Service men. Will you kindly explain to me what grievances you have in this respect: what are the cases that you mention?—As I have said already, there are four listed posts open to my branch of the Service.

17582. Where did you get that information from?—You will get it from the Civil List.

17583. At the present moment you think there are only four?—There were six, of which two were taken away for Bihar and Orissa, and four have been left for Bengal.

17584. That statement is not quite correct. As a matter of fact, according to Government orders, there are eight listed posts in the Service, and no allocation has been made between the Judicial and the Executive up to this date: let us assume that you will get four?—That was my idea at any rate.

17585. These four posts have not been filled up, you say. Have they not been filled up?—A person is appointed to officiate for a certain period and when the same is over, he walks out.

17586 If he is in the post, surely he is in it. Why do you say he walks out?—It is one thing to officiate in a post and it is another thing to permanently hold it. These listed posts are for the benefit of the Service, and if I am to be there for a short time and then to walk out, it does no good.

17587. What do you mean by walking out?—If I am appointed for a few months before I retire at the age of 55, it neither benefits me nor the Service, because I officiate in these posts only for three months.

17588. If you go in quicker or another man comes in earlier, there would be no fault?—I cannot go in quicker under the circumstances.

17589. I want to know what the complaint is. It is not a fact that posts are not filled by Provincial Service men?—They are not appointed sufficiently early to be able to hold their appointments for a reasonable time.

17590. That is quite a different statement from what you gave in your evidence. Your statement in evidence is that they have not been held?—Practically it comes to that; the full number has not been filled up yet.

17591. I do not want to go through your proposals, because you have put them very clearly; but there is one thing which I do not understand, your proposal for a time-scale in answer to question (26). Why do you wish to exclude District Judges from the time-scale?—Because difficulties might arise.

17592. What difficulties?—People may have to draw the pay of higher grades before their time. I should think in the ordinary course of things promotions would be made to higher grades as vacancies arise.

17593. If there is a time-scale, there will be no grades?—No grades in that sense, but there will be a graded scale of pay—a graded scale of pay of Rs. 2,000, Rs. 2,500, and so on. That is also a gradation. You have now, say, two posts on Rs. 3,000, five posts on Rs. 2,500 and eight posts on Rs. 2,000. If I am to substitute the time-scale for that, I must not fix a number for each grade. I must say that, after so many years on Rs. 2,000 grade, one will get to Rs. 2,500 and, after another period of service, he will be entitled to draw Rs. 3,000, so that the fixed number in each grade has to be dispensed with; the numbers 2, 5, 8 and so on. The cost would be enormous in that case.

17594. I am afraid I do not understand you. Let us go on to another question—as regards privilege leave. You recommend that each judicial officer should have one and a half-months' privilege leave in a year on full pay. How much vacation do you get at the present time?—32 or 34 days; that includes gazetted holidays, which come to about one-half.

17595. You wish to have one and a half months' holiday on full pay in a year *plus* rather more than one month's vacation on full pay. That is you want two and a half months' leave on an average every year on full pay?—It is not one month's vacation practically, because half the period of vacation is covered by gazetted holidays which other departments also enjoy, and these gazetted holidays are not of our asking. They are holidays in order to suit the convenience of the public.

17596. Are you allowed to leave your station during the vacation?—Yes.

17597. At the present time, how much privilege leave are you entitled to?—We are allowed one month's privilege leave on half pay.

17598. One month or fifteen days?—One month.

17599. On half pay?—Yes, on half pay; the Executive branch gets one month's leave on full pay.

17600. But they have no vacation?—What they get, practically speaking, makes up for the vacation, because on the executive side the last Saturday of the month is a holiday.

17601. Does not the Judicial side also get this holiday?—We do not get anything of the kind. The vacation is for about 32 or 34 days. About half the number are public holidays, and, practically speaking, we have the vacation only for 15 days or so, and merely for that we should be deprived of half the pay: that comes very hard on us.

17602. I understand that you want for every member of the Judicial Service a pension of Rs 6,000 a year?—Yes.

17603. The demand now made is that the pension should be Rs. 6,000 for every officer who serves 25 years in the Judicial Service?—Yes.

17604. Has any other Service in India got these terms of pension?—I cannot say.

17605. You do not know the terms of pensions in other Services?—No.

17606. Does the Public Works Department get them?—I cannot say.

17607. You have many friends in the Educational Service? Do they get those terms?—I do not know; I have not enquired about that matter.

17608. There is one other suggestion that you make, that is the limit of contribution. You say the limit of contribution to the General Provident Fund should be raised to 25 per cent.?—Yes.

17609. Why do you want that?—To make provision for families.

17610. Can you not make that provision for families, if you like, by insurance?—I am not sure I can. I do not see how I can save enough.

17611. If you save enough to contribute 25 per cent. of your pay to the Provident Fund, why should you not provide for your family by means of insurance?—That will be deducted from our pay if we are to contribute to the Provident Fund. I consider it a sort of forcible deduction. Out of the money that comes to my hand I cannot save anything; but when it is taken away from me, that is beyond my control.

17612. You want Government to compel you to save 25 per cent.?—The existing system comes to that. I would not be sorry if Government were to compel me to do that, because it will enable me to lay by something for my family.

17613. Surely you cannot expect every member of the Service to pay 25 per cent.?—That is optional; he need not pay, if he cannot save anything.

17614. You say the limit may be raised?—It is to suit the convenience of men in the higher grades. That is my suggestion.

17615. That would be optional and will not be compulsory?—Yes, the existing contribution is also optional and is not compulsory.

17616. (*Mr. Mukharji.*) Just one question I wish to ask you with reference to your answer to question (24) on page 6. You give us there the reasons for raising the pay of your Service, the Judicial branch of the Service; and you say, "unlike the Executive branch, the Judicial branch of the Provincial Service brings in a very large net income to Government"?—Yes.

17617. Do you not know that the Executive branch makes a very large income in certain cases, such as from the collection of land revenue, income-tax, excise, etc.? What you mean is that there is a net saving of a large amount on the Judicial side?—Yes.

17618. In stamps and court-fees?—Yes.

17619. Surely you cannot make that a point for raising the pay?—Why not?

17620. (*Mr. Sen.*) In reply to Sir Theodore Morison and Mr. Sly you have said that a Sub-Judge requires ten years' service in order to become a High Court Judge?—Yes.

17621. May I tell you that you are in error?—I am subject to correction.

17622. Look into the Public Service Commission's report and please read clause 3—(*handing the Report*). Now you see that five years' service only is necessary in order to enable a Sub-Judge to become a High Court Judge?—I find it so stated here.

17623. That is from the Letters Patent?—Very well.

17624. In that case, in Bengal, there are many Sub-Judges and District Judges, recruited from Sub-Judges who are of more than five years' standing?—Not many; I think there are some.

17625. Within the last thirty years, there has not been a High Court Judge appointed in Calcutta from the Provincial Service?—No.

17626. And the one appointment that was made was only for a short time?—I have stated so.

17627. You know from the Provincial Service a High Court Judge has been appointed now as an Additional Judge to the High Court in Madras for two years?—Yes.

17628. Rai Kanhayalal—Bahadur, Additional Judicial Commissioner of Oudh, was until lately a District Judge appointed from the Provincial Judicial Service?—Yes.

17629. Therefore you see that, in Bengal, within thirty years, no Sub-Judge or District Judge has been appointed to be the Judge of the High Court?—No.

17630. Do you consider that it would be a grievance?—Of course, certainly a grievance.

17631. Do you think that, if a Sub-Judge is appointed, he will be able to do justice?—I think so.

17632. In regard to listed posts, in reply to Mr. Sly, you could not explain the grievances of the present members of the Service. I may tell you that Mr. Raj Krishna Bannerji was Judge of Rampur until 16th October last?—Yes.

17633. Mr. Nurul Huda retired on 3rd January current?—Yes, but he is not of our service.

17634. This makes two. There are three District Judges at present—Mr. Abdul Majid, Judge of Rajshahi, Mr. B. C. Mitra of Birbhum and Mr. Rajendranath Dutt, Judge of Khulna. Up to the 16th October last, there were thus five listed appointments for the Provincial Judicial Service, were they not?—Is Mr. B. C. Mitra in it?

17635. He belonged to the Statutory Service, which is now merged into the Provincial Civil Service?—I consider that to be a different service.

17636. Not at all; after the abolition of the Statutory Service, it was merged into the Provincial Service and these statutory men are now treated as Provincial Service men. Altogether, as regards the Provincial Service men, up to the 16th October last, five listed posts were open to them, including Mr. Nurul Huda, who belonged to the Statutory Service. He has now retired?—I did not take him into account.

17637. You could not explain to Mr. Sly the grievances of the Provincial Service members The number of listed appointments at present, you have said, is four?—Yes.

17638. How is it four? Mr. B C. Mitra, Mr. Rajendranath Dutt, Mr. Abdul Majid and Mr. Nurul Huda, who has lately retired and who is no longer a Provincial Service officer—there are now only three; there is a deficiency of one judge—is it not a grievance?—Yes. And also that Mr. Majid is not a member of the Provincial Civil Service, nor is Mr. B. C. Mitra.

17639. He is treated as a man in the Service?—It may be.

17640. He was extra Assistant Commissioner exercising both Civil and Criminal functions?—He is outside the cadre of the Bengal Provincial Service.

17641. He is treated as one of the Provincial Service men holding listed posts?—That is also a grievance I should think.

17642. That is another thing. So far, you find there were four posts till the 16th October last, or rather five; but now we have only three. I think that is a grievance?—Yes.

17643. That was the gist of Mr. Chaubal's questions to you?—Yes.

17644. May I tell you that the Bombay Munsifs and Subordinate Judges have not yet been examined and you do not know what evidence they will give?—I do not know.

17645. They may ask for an increase of pay as well. Taking it for granted that the conditions of the Judicial Service in the whole of India are equal, that litigation elsewhere is almost of the same nature as in Bengal, you may take it that the Bombay Munsifs and Subordinate Judges will also ask for an increase of pay, though they have not yet given their evidence?—They have not.

17646. The Madras Munsifs and Subordinate Judges have given their evidence; have not they asked for an increase of pay?—I think they have.

17647. As to Bengal particularly, is not this province considered to be rather an unhealthy one?—Oh yes.

17648. Munsifs have to live under very unhealthy conditions?—Yes.

17649. Is it not the case that the cost of living has increased by more than 150 per cent. since 1868, when the present Judicial Service was introduced into the country?—I have not calculated it; but my idea is that it has gone up very high.

17650. Do you know that Mr. Beames and Mr. Grimley, who were appointed members of the Salaries Committee to work out the figures and find out the cost of living, came to the conclusion that the increase was 75 per cent. from 1868 to 1885; from 1885 it is now more than 25 years, and the cost of living has increased, as also the cost of social observances and ceremonies including marriages, *sraddhas* and *pujas*?—Yes.

17651. The expenses have also gone up in the wages of servants, in dress, in conveyances, house-rents, medicine and education?—Yes.

17652. Everything has gone up?—Yes; in everything the cost has gone up.

17653. The cost of a daughter's marriage in Bengal has gone up?—Yes.

17654. Every one who has to dispose of his daughters in marriage feels the cost of marriage. Do you not think these are all cogent reasons for which the Bengal Munsif should get an increase of pay over that of the pay of Madras and Bombay Munsifs?—That is a very good reason; but I was not asked to give reasons. I was simply asked to compare the conditions here with the conditions there. If I were asked to give reasons for increments of pay, I would have given all these reasons.

17655. Look to question (12). You say "I should, however, observe that the present strength of the Service is not commensurate with the necessity. It is an admitted and undeniable fact that we Judicial officers are, as a body, very much overworked and have also to do our work in breathless haste." You mean to say, I think, that though litigation has been increasing every year, the increase in the number of Munsifs has not kept pace with it?—Yes.

17656. That is so?—Yes.

17657. In almost every district there is a demand for additional Munsifs and Subordinate Judges?—Yes, so far as my knowledge goes.

17658. You further on say, "the result has been premature deaths and incapacitation in many cases, and general physical breakdown more or less of the entire force". This is rather a vague statement. Can you substantiate it by figures?—Yes.

17659. What are the figures?—In the last seven years there have been 40 deaths.

17660 Have you got the names of men who died?—Yes.

17661. Within seven years nearly 38 officers died in the Judicial Service?—More than that—40.

17662. About six per annum?—Yes.

17663. What is the number of vacancies in the Judicial service?—On an average 15.

17664. One-third of the vacancies is by death?—It is more than that I think.

17665. That is one thing. Another cause, you say, is the physical breakdown. Can you give instances of physical breakdown in the Judicial Service?—I am personally aware of cases.

17666. Can you give me the names of those who have physically broken down, so that the members of this august Commission may know them, on account of overwork?—My list is not exhaustive. I can give four or five names.

17667. Name those who became insane and paralysed?—(*Chairman*):—You need not give the names. If you give the number, that will be quite sufficient)—About four or five.

17668. (*Mr. Mukherji*). You know about four or five cases?—Yes.

17669. Cases of nervous prostration within the last—how may years?—Within the last three or four years.

17670. In addition to that, there were many deaths in the Service?—Yes.

17671. One-fifth of the vacancies in the service is due to death?—More than that.

17672. You recommend that Munsifs should commence on a salary of Rs 300?—Yes.

17673. Why do you propose that; is it because they are recruited after the age of 30 or 31 years?—They begin their career rather late.

17674. That is the reason why you recommend an initial pay of Rs. 300 for the Munsif?—Also because it is difficult for him to maintain his position as an officer of that status on that pay.

17675. Let me take your own case. You were appointed Munsif on the 28th February 1900?—That is the date of my confirmation.

17676. You were appointed to the 2nd grade Munsifship, that is to say, on Rs. 400 grade on the 10th of December, 1910?—Yes.

17677. That is after nearly 12 years' service?—About that.

17678. When do you expect to get Rs. 500, after how many years' service?—It will, I am afraid, take me more than four years' service still.

17679. You have already served in the Rs. 400 grade for two years, and it will take another four years?—Yes.

17680. That will be six years?—Yes.

17681. At what age will you get Rs. 500 grade?—At 47.

17682. Don't you think that you entered rather early; you were confirmed rather early in the Service?—I should think so.

17683. What is the average age at which a Munsif could expect to get to the Rs. 500 grade?—About the age of 50.

17684. He becomes a Sub-Judge about that age. He gets Rs. 500 grade at 48?—49 or 50.

17685. He serves as a Sub-Judge for three, four or five years?—I do not think he can put in five years without extension.

17686. Many Sub-Judges do not even reach the Rs. 1,000 grade; they have to retire before that?—Yes.

17687. You recommend that the pay of the first grade Sub-Judge should be Rs. 1,100?—Yes.

17688. Is it because the pay of the Superintendent of Police is Rs. 1,200?—That is one of the reasons; but the chief reason is that the prices of things have gone up very high and also the cost of living has increased a great deal.

17689. You say, "I have to point out that the Judicial branch of my Provincial Service brings in a very large net income to Government and on that account also deserves to be fairly, if not liberally, dealt with as regards pay and pension." Mr. Mukharji has got it explained from you that by net income you mean the surplus?—After deducting expenses.

17690. What is the surplus every year?—I find that the surplus was Rs. 41,22,490 for Bengal.

17691. You may take it in round figures as 41 lakhs?—Yes.

17692. What is the total amount for Eastern Bengal and Assam?—45 lakhs.

17693. What is the total for the two provinces of surplus from civil litigation; is it not 86 lakhs?—Yes.

17694. There is another thing that I want to ask you and that is about privilege leave. You say that privilege leave should be allowed on full pay. Why do you say so? You have not been able to explain it properly. Has not the vacation to be granted every year in accordance with universal custom?—Yes.

17695. Whether Judicial officers wish it or do not wish it, the vacation must be given to people in accordance with universal custom?—I have said so.

17696. That is one thing. The Judicial officers require some respite from their arduous and onerous duties?—I have stated that also, I think.

17697. Then by the present system they are tied down to a holiday in a certain time of the year and that places them at a great disadvantage?—It does certainly.

17698. It is for that reason, you think, that privilege leave should be allowed on full pay to Provincial Judicial officers?—That is the main reason; but there are other reasons too.

17699. Vacation includes a good number of gazetted and other holidays?—I have stated that.

17700. (*Chairman.*) I would ask you whether the answers you have given us, both in writing and orally to-day, represent the views of the Judicial branch of the Provincial Service or are they only your personal views?—Those are only my own views.

(The witness withdrew.)

NORMAN MCLEOD, ESQ. (representing the Bengal Chamber of Commerce).*

Written answers relating to the Indian Civil Service.

17701 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Speaking generally, there must be some form of examination for entrance into the Indian Civil Service, but the system of recruitment of suitable candidates is to my mind susceptible of considerable improvement owing to the liberal educational facilities that exist now-a-days at home and in India.

17702 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system of recruitment appears to me faulty because it attaches too much importance to a knowledge of book-learning in candidates, and in the past, apart from scholarly qualifications.

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* A representation was also received from the Bengal Chamber of Commerce which is printed as Appendix VI.

little or no attention seems to have been paid or allowance made for the possession in a candidate of characteristics which would in time go to make a successful administrator. During the last few years there has been a marked change in the class of men entering the Indian Civil Service which must be attributed to the very generous educational facilities that now exist in the United Kingdom. Looking to this fact, I am of opinion that the time has arrived when the system of recruitment or selection of candidates should undergo a change. I would like to see the institution of a Selection Board in England working on a somewhat similar system to that adopted by the British Admiralty in the selection of Naval cadets. This Board of Selection in respect of candidates for the Indian Civil Service should be composed of men with some practical experience of India, and I would relegate scholastic efficiency to a less prominent position, provided a candidate showed himself to be a man possessing plenty of commonsense, broad-minded views, and a practical sympathetic temperament. I would go further and give preference to those men whose physical stature and appearance would be in keeping with the dignified and important positions they are likely to be called upon to fill in India, because there is after all in the administration of eastern countries a great deal to be said for the man who looks the part. India wants as administrators men of adaptability, who will rise to the difficulties of whatever position they may happen to occupy and who can rule with both head and heart. I consider that it would tend to improve the general efficiency and usefulness of the Indian Civil Service if candidates could be trained to specialise in some particular branch of work. It would be of far greater benefit to the Empire as a whole that a few Indians selected and trained in the way indicated should be associated in its administration rather than introduce a larger percentage of men whose only qualification was an excess of book-learning.

17703 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—A system of simultaneous examinations in India and England is surrounded by many objections, and I would strongly oppose any such change. Competitive examinations do not bring out the best men, and in this country there is the great difficulty, to be kept prominently in view, of maintaining secrecy in regard to examination papers. This difficulty has already been pointed out, but it is a very important one, and too much stress cannot be laid upon the necessity of keeping it well in the foreground.

17704 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—This question is more or less covered by question (6), and as I am opposed to simultaneous examinations in India, I must also oppose the suggestion regarding separate examinations. There is no reason why a proportion of vacancies in the Civil Service should not be filled by Natives of India, but the appointments should be made by selection and as the result of proved merit and tried service, and not because a man has been able to pass an examination. I would be inclined to limit such appointments to executive posts in preference to administrative.

17705 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—The system I favour would be that of selection on the lines indicated in my reply to the previous question. I would draw candidates from all classes and communities, to be eventually chosen for employment by a Selection Board composed entirely of Europeans, and whenever practicable, such a Board to be made up of officials and non-officials.

17706 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—21 years to 24 years old.

17707 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—If the system of competitive examination is to remain in force, I do not consider any difference should be made in the subjects of examination in the case of Natives of India and other candidates.

17708 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—In my opinion any attempt to reduce the number of Europeans employed in the higher posts of administration would be a retrograde movement fraught with the most serious consequences. There is no feeling of antagonism in business circles against the legitimate ambition of the natives of this country, and I am of opinion that there is more feeling of mutual respect between Europeans and Indians engaged in business pursuits than there is between officials and the public. In business circles Europeans and Natives come in close touch every day, and we readily recognise one another's good points; this creates a spirit of mutual good-feeling and readiness to assist in whatever one's daily task may happen to be. In mercantile or industrial enterprises, if a Native is deemed to be competent to fill a vacancy previously occupied by a European, he would get it solely on the qualification of merit and proved loyal service. But in the higher posts of the administration a different type of man is required, and while I admit there are excellent and capable Natives already members of the Indian Civil Service, the time has not yet arrived for the proportion of the European element to be reduced. Every year sees new laws placed on the Statute Book, and with the march of time the government of this country becomes more difficult and is attended with greater problems of administration. Since the date of the last Public Service Commission, there has undoubtedly been progress made in improving the general fitness of the Native in many directions. But there still remain drawbacks in his character which must disappear before he can be said to be capable of occupying the high administrative posts which call for the exhibition of those characteristics that the European possesses by virtue of his birth, training and general upbringing. As an instance of a notable failing in the native character which unfits them for high administrative work, I would mention their general unwillingness to accept responsibility, which is probably the outcome of environment. Then again my experience of 25 years in this country shows that there is an inherent feeling of mutual distrust of Natives by Natives, while their complete disregard of the value of time is well known. Western influence in time may eradicate these drawbacks, but to my mind, until they do disappear, they represent serious deficiencies in character which preclude the native of India from taking up appointments of responsibility in the Government of the country.

17709 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—I am not inclined to favour a system of probation for candidates for the Indian Civil Service, as such a course would undoubtedly tend to limit the field of selection, as good men are not likely to come forward if there is a probability of their being rejected at the termination of the probationary period.

17710 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I consider that the exchange compensation allowance should be abolished in the case of future candidates, but a corresponding increase in salary should be made. In fact I would go so far as to say that the scale of pay should be revised. I am of opinion the Civil Service are under-paid for the class of men of which it is composed. I would not differentiate between any members of the service.

MR. NORMAN MCLEOD called and examined.

17711. (*Chairman.*) You represent the Bengal Chamber of Commerce?—I do.

17712. And the answers you put in are representative of the opinions of the Chamber of Commerce?—Yes. It is put in by me as representing the Chamber of Commerce.

17713. May I take it that these are the opinions of the whole Chamber?—I will give you the procedure that was adopted. When a question like this comes up before us, we send a letter to the whole Chamber, and if the members want to reply to what is therein contained, they do so. But if they do not reply, the committee take it upon themselves to consider that the members are satisfied with what the committee may do. In this case, several replies came, and they were handed to me, and I focussed the opinions given in these replies.

17714. Your Chamber represents in all its branches the whole commercial world of Calcutta?—My Chamber represents 193 firms, 9 committees, 20 sub-committees and 20 recognised associations. The Chamber represents 37 per cent. of the whole trade of India. The trade in India in 1910 was 309 crores.

17715. And in sterling?—About £50 millions.

17716. These 193 firms—do they consist of European and Indian firms?—Almost entirely European. There may be 5 or 6 Indian firms.

17717. Indian firms are not excluded?—No.

17718. You do not seem to be altogether satisfied with the present system of open competitive examination?—I am not satisfied. That is the general opinion in India.

17719 You say that, during the last few years, there has been a marked change in the class of men entering the Indian Civil Service, which is, you say, to be attributed to the generous educational facilities that now exist in the United Kingdom? Am I to infer from that that the change is for the bad or for the good?—I think it is to the bad.

17720. Am I to infer also that the intellectual equipment of candidates has improved in correspondence with the increase of educational facilities?—That is what I object to. Intellectual equipment is as great as ever.

17721. You want to see it decrease?—No! But there are many qualifications in the candidate which I consider are not so good as they were.

17722. I am dealing with this particular point. You are deploring the fact that the intellectual equipment has improved. Am I right in that inference?—That question is rather a difficult one to answer. I say that many a man is capable of going up for, and getting through, the examination, whose intellectual equipment is the same as in former years. But I do not think it is quite the same type of men that we now get.

17723. What you really mean, I take it, is that he is different in other respects?—That is what I want to bring out.

17724. In other respects he does not possess those qualifications which you regard as very important, if not essential, to an officer in the Indian administration?—That is so.

17725. You think that, by a system of selection, that could be met?—I should say so.

17726. What form of selection would you suggest?—I should say that that should be something on same style as in the Navy.

17727. You would have two boards of selection, one in India and one in England?—I would.

17728. The board in England would consist of Europeans. Would you have Indians on the board in India?—I prefer not, for this reason: that, if there were a board of English people, they would be less liable to local influence or local pressure, you may almost put it.

17729. You do not think that, in view of the fact that all the candidates would be Indians, there should be any representation of Indians on the board?—No, I prefer to see the other way.

17730. You are strongly opposed to simultaneous examinations?—Very strongly.

17731. You would simply have a single examination in England?—I would confine it to a single examination in England.

17732. You say, "I would go further and give preference to those men whose physical stature and appearance would be in keeping with the dignified and important positions they are likely to be called upon to fill in India." I do not suppose that you really mean to say that considerations of physical stature and appearance are more important than intellectual equipment for the Indian Civil Service?—No; but all other things being equal, I should certainly give preference to physically capable men.

17733. Do you know how many instances there are of men who have failed in their careers in the Indian Civil Service?—I have known some instances.

17734. Are not these instances rather exceptional?—Decidedly.

17735. Would you admit that the work of Indian administration is not becoming easier as time goes on?—It is becoming more difficult.

17736. It has become more complicated?—I should think so.

17737. More arduous?—Yes.

17738. If the duties are to be efficiently discharged in years to come, it would appear hardly right to put any limit on the standard of intellectual equipment?—But in a country like this, you want physical capabilities as well, because it is a trying country.

17739. Is there not already, so far as physical equipment is concerned, quite as strict a medical examination as you can wish?—I believe there is a medical examination.

17740. Only those who are physically strong can pass that examination?—In my experience, I have seen men coming to India for the first time who were merely a bundle of bones and book-learning.

17741. I was trying to draw a distinction in my questions between the man who is physically strong and the man who does not possess a particular dignity and high stature?—A man may not be necessarily physically weak, even though he be of small stature. I know many instances in which men are physically weak, though not of small stature.

17742. You are in favour of retaining the "listed posts" system?—I am.

17743. But you would make the appointments to the executive posts rather than to the administrative posts?—Yes.

17744. Why do you say that?—In my experience the natives of this country are, I think, more adapted to routine work than to the initiative.

17745. You mean by administrative posts the higher supervisory posts?—Higher posts, where the initiative in administration has to be thought of.

17746. These are not posts which you would open to Indians; you confine them to Europeans?—Not as a general rule. There are Indians who would come forward and be quite as capable of filling them, but not as a general rule.

17747. You would allow the admission of Indians only in exceptional cases?—Yes, certainly if they were capable.

17748. Now, your say that since the date of the last Public Service Commission, there has undoubtedly been an improvement in the general fitness of Indians for employment in civil administration?—I do.

17749. Would you be prepared to say that the time has now come for the Indian element to be increased?—I would certainly not say so.

17750. What is your reason for saying that?—I do not think that the progress and the formation of character has increased to that extent that would justify a larger increase in the admission of Indians into the administration of this country.

17751. Therefore, you put it on the ground of efficiency of administration?—Yes, efficiency.

17752. Would you say that the demand on the part of educated Indians to-day was a factor of any importance in the situation?—I should say it was. I might qualify that answer. It depends entirely on the way how the Indian looks at it; whether he looks at it from the political point of view or from the material point of view. If he looks at it from the political point of view, certainly he would desire to admit far more Indians into these appointments. But a zamindar, or a man who has a large stake in the country as a merchant, would, I think, look at it from the point of view of the material welfare of our Empire rather than of the individual advantage of two or three hundred people that would benefit.

17753. You would say that no appreciable element of the population would look at it from what you describe as the political point of view?—I should not think that there is any appreciable element. There are people who make a noise, and you hear about them. But I do not think they are in the majority by a long way.

17754. Would you not say that, if that element of the population could have a certain satisfaction, it would tend towards smooth government?—It would be a factor.

17755. In all these matters, you say that all factors must be considered?—Certainly. I would say that it would be an immediate factor. But I think ultimately the people who have a large stake in the country would realise the advantages to the country as a whole, rather than to the individual.

17756. Would you not say that the very demand that is now being made may be regarded as one of the factors which go towards making the government of to-day somewhat more complicated and difficult?—Yes, I would, because agitators make themselves heard.

17757. Having answered these points, I would ask you whether you still adhere to your original answer whether you do not consider that some increase of Indian representation may be made with advantage to the Indian administration?—I still adhere to my original opinion.

17758. In your reply to question (29), you object to the term of probation on the ground that it would keep good men from coming forward. Would you abolish the term of probation?—What I understand by that question is that there would be probation in this country. I would certainly not abolish probation in England.

17759. Would you recast the wording of your answer, as that is the position at present?—I do not object to probation in any way in England.

17760. If men are sent out to this country for probation, you think it would tend to limit the number of recruits?—Yes. I would not limit the period of probation in England. I would introduce—I do not know if it would be possible to do so—the power of elimination; that is to say, if a man were unsuitable, the Government might have the power of turning him out.

17761. You mean that, after that probation at home, they should come out to this country, and instead of going through the period of training here as is the practice now, they should go straight to their work?—Undoubtedly. We have exactly the same thing in the mercantile world. When a man goes into an office at home, he is selected to come out here. He comes out here on a three years' agreement, and if he is found unsuitable, we give him the passage back, and probably some compensation.

17762. What an officer now gets in India is a period of training, not of probation. Would you do away with that?—It is difficult for me to answer it, because I have not the necessary knowledge. But how it is done in the mercantile world is, the sooner you get a man into the actual work, the better he is. He learns itt quicker and better in this way than in any other way.

17763. In the mercantile world, if a man is to fill a position of a technical character, you would put him under close supervision?—Most decidedly.

17764. The young civilian arrives in India untrained, and therefore he has to go through a period of training after his arrival?—He will get a certain amount of responsibility thrown on his shoulders and his progress depends upon that.

17765. Your idea is that, when a civilian arrives in India, he should be given a certain amount of responsibility as well as training?—Most decidedly.

17766. I should like to ask you one or two questions with regard to the cost of living. To what extent do you say that the cost of living has gone up during the last ten years?—25 or 30 per cent.

17767. All down the line?—Yes, all down the line.

17768. Would you say from your knowledge of the commercial world that the wages and salaries have risen to a corresponding degree?—I would. We used to get a man on Rs. 300 a month, but now we have to give him Rs. 350, Rs. 375 or Rs. 400, according to the experience that the man has got at home.

17769. That applies to all grades?—Right through.

17770. Right down to the coolies and the labouring classes?—I rather think so. But I would not like to be very definite, because I have not looked into the point.

17771. But your statement certainly applies to the staff, both European and Indian?—Yes.

17772. There has been a very large expansion of trade, I understand, in Calcutta during the past decade?—Enormous.

17773. Probably that expansion has necessitated a large increase of staff in the great mercantile establishments?—Yes.

17774. Would you say that with that expansion, there has been a corresponding increase in the European staff?—Certainly, with perfect confidence.

17775. Would you say that the tendency was towards maintaining the European element or towards increasing the Indian element?—On this side of India, at any rate, it is towards increasing the European element, because things are cut so fine that you have to get them out quicker and smarter, with a lot of ginger in them.

17776. You refer to supervisors and heads of departments?—Yes.

17777. They are Europeans?—Europeans.

17778. And those who work under them, are they Europeans or Indians?—Indians.

17779. I suppose you know instances of Indian establishments where there are Indian supervisors?—Very few. But there are instances. A country with 300 millions would be rather poor if there were not.

17780. You say they are exceptional and not the rule?—Very exceptional.

17781. (*Sir Murray Hammick.*) I do not quite understand your answer to question (2). I gather that you are inclined to think that, although the intellectual calibre of the civilian has perhaps improved, his other characteristics have gone back and deteriorated in the last few years?—That is my opinion.

17782. That, I understand, is the opinion of the Chamber of Commerce of Bengal?—As far as it is focussed by me.

17783. I should like to know what kind of evidence you have that it has occurred. First of all, may I ask you in what kind of way has the civilian officer deteriorated? What, exactly, do you mean when you say that he is intellectually the same, but he has deteriorated in certain other qualities. I understand, from the latter part of the question, that the physical qualities are the one thing in which he has deteriorated. Would you say that he has deteriorated in other qualities: I mean the qualities which make him an efficient administrator, qualities which make up his governing capacity?—I think that the type of man has not improved. In fact, he is the reverse.

17784. "Type of man" is rather vague. He has improved intellectually, and that you admit. But in other qualities, you say, he has deteriorated. I see your remark on his physical qualities. I want to know in what other qualities he has deteriorated. A man who makes an administrator, besides having intellect, has to have a certain amount of foresight, a certain amount of promptness, a certain amount of perseverance, and a certain amount of courage—all those elements that go to form a good administrator. I should like to know whether you think, apart from the physical deterioration, he has deteriorated in these qualities?—It is a very difficult question to answer. All that I can say is that men coming out to India for service have deteriorated in a general way in recent years. But it is a very difficult thing to put your finger on exactly. I am only expressing my opinion.

17785. I should like to ask you what evidence of deterioration you have. Do you think that the districts are worse run than they ought to be? Do you think that the orders issued from the Government offices are less able than they used to be, or that the district is less efficiently managed? In what directions is this deterioration observable?—I could not say definitely.

17786. I am continually hearing from plenty of people casual remarks that the civilian of the present day is not as good as he used to be. I am anxious to see what evidence there is for it, and I am not able to discover any good evidence for it. When you come forward and make the statement, cannot you give some evidence as to how this has happened?—I am afraid not.

17787. As to your suggestion to improve matters, you suggest selection boards both in India and in England?—Yes.

17788. I presume that the Indian candidates who go to England to appear for the Indian Civil Service examination in England will have to satisfy the board which may sit in London or in India. Do you really seriously think that it would be possible to establish a board, chosen from persons of practical experience with Indian life, as you say, whose qualifications would be such as to judge the appearance of a candidate, and to see that he, as you express it, "looks" the part which India wants as an administrator? Do you seriously think that such a selection board could possibly be established?—I do not see why it should not be. You have it in the Navy where you get a very good class of men.

17789. Do you think that the selection board in the Navy takes into account the appearance of the boy? You say that India wants administrators, or rather in the administration of eastern countries, a great deal has to be said for the man who looks the "part." That, you think, this particular board of selection has to judge. I do not think that the board for the Navy selects the boy who looks the "part." What they do is, they give a very strict *vivâ voce* examination to see whether his brain is sufficiently alert to turn him out to be a good sailor later on. Do you seriously think that you can have a board in India which could see that physically the Indian candidates looks the "part"?—I should think that they can easily do it. It is only my opinion.

17790. You think it is possible?—Yes. They could select suitable candidates or suitable boys, who, though they may not ultimately turn out to be good, might yet have the advantage of a good start.

17791. I suppose you know that the candidates who go for the Indian Civil Service have to pass a strict medical examination?—On coming out here?

17792. Before they come out here?—I know that.

17793. That does not satisfy you. You want a certificate that the man possesses not only sound limbs and sound organs, but that he has a certain height and certain appearance?—I think, with due deference to you, Sir, you are taking my remarks too literally. I think you know what I mean.

17794. I am afraid that is exactly what I do not know. That is what I am trying to find out. However, I leave that part of your proposals. Now, I want to know whether you do not think that selection by a board of this kind in England for the examination would probably result in no Indians ever going up for the examination at all. If an Indian has to go home for the examination when comparatively young, do you think it is likely that he would go home to sit for this competitive test, if he had before him that he had to satisfy a selection board like this?—I think that Indians are very fond of Government employment. They would probably go forward just as many as ever. I also suggest "assisted English education." I do not say that in the paper as a part of my scheme; but I should say that "assisted English education" should be given to boys selected in this country.

17795. Would you support a scheme of scholarships, as has already been suggested?—Yes.

17796. You would support a certain number of Indians, give them scholarships, and make them study in England, to enable them to go up for the Indian Civil Service examination?—That is what I mean.

17797. That is an important point. Then, you would take, at any rate, comparatively young boys, or would you wait until they take their degree?—The sooner you get them, the better.

17798. You think, as some others have thought, that, in order to get the necessary training in England, to give him the faculties which go to make up a good administrator, it is necessary that the boy should go home early in life?—Yes.

17799. You do not, probably, think that there is much advantage in sending an Indian to England after he has taken his degree for a couple of years, to go up for the examination and then to come out straight?—That would, undoubtedly, be an advantage; but it would not be to the same extent as that of a boy who passes through a public school—through the rough and tumble of the public school, which must make him acquire a certain amount of character.

17800. There is only one other question I would ask you. In this matter affecting the higher British administration in India, do you not think that any uncertainty as regards the British element in the future administration of India might have a serious effect on the commerce of the country and on the attraction of capital to India? What I mean is this: if you listen to those who agitate that we should have no minimum of European supervision, and that we should leave the matter to be decided entirely upon examinations in India and in England, that might therefore imply that there would be no security, that, after some years have elapsed, the British element in the higher administrative posts in this country would not disappear, do you not think it would be likely to have an effect on the attraction of capital to this country?—It would have a very serious effect.

17801. It would have a very serious effect?—Yes.

17802. (*Mr. Sly.*) I should like to ask you, in regard to the marked change for the worse in the character of the Indian Civil Service recruits, whether you refer to the social position and the manners of the recruits?—I think there is something in them.

17803. Is that the point you wish to bring out?—I do not wish to lay any very great stress upon it; but that is the point I refer to. It is mostly, in that respect, that the deterioration has occurred. I think these two qualities are necessary in this country.

17804. I see that you propose a scheme of selection. At what age should the candidate be selected?—It is rather difficult to fix it.

17805. You fixed it—12 to 14?—I would fix it—12 to 14.

17806. You wish to select when they are 12 to 14 years of age?—I should like to catch them young.

17807. To give them a course of instruction at Government expense?—I say "assisted English education."

17808. Your proposal is based on the Navy system—system of selection for the Navy?—Something like that.

17809. Do you know that there is no strong demand to go into the Navy in England, that the number of candidates presenting themselves for selection for the Navy is not very large?—I cannot tell you that. I have not been at home for some years for any lengthened period.

17810. You have also suggested that an improvement in the Service might be effected if candidates were trained to specialise in some particular branch of the work. Can you tell us just a little more fully as to what you had in your mind in regard to the improvement of the service in that respect?—I should think, administrative or judicial. They should look after some administrative work at home or judicial work at home, or probably become barristers.

17811. Specialisation more particularly in regard to the executive and judicial work?—Executive and judicial work.

17812. You have expressed an opinion against any reduction in the number of Europeans employed in the Service?—I have.

17813. At the same time, you have expressed an opinion that a proportion of vacancies in the Indian Civil Service might possibly be filled by the natives of India under a proper system of selection?—I understand that is the case now. I may be wrong. I understand that there are a certain number of posts in the Indian Civil Service that are filled by the natives of the country.

17814. That is the case, to a certain extent. What I wish to ask you is: have you got any constructive scheme to place before the Commission, which would lead to the employment of more Natives, carefully selected, without any reduction in the strength of the European element which, you consider, must be retained?—I have not anything further to add. I think that the European element in India is overworked, and that more assistants to them would relieve them.

17815. That is, you suggest that the number of posts should be increased to a certain extent because the work is excessive at the present time?—As found necessary.

17816. And that a certain number of the increased posts may be given to the Indians by a system of careful selection?—Yes, under a system of careful selection, so long as it would not interfere with the minimum already established.

17817. By that means, the Chamber of Commerce would consider that a portion of this demand for the further employment of the Indians can be met?—Can be met.

17818. As regards trade, you have told us that there has been a big expansion of trade in Calcutta?—Enormous.

17819. Can you tell us whether the European share of that expansion has been greater or less than the former proportion of European trade in India?—I should certainly say greater.

17820. Your experience in the commercial world does not show that the European is losing the position that he previously held?—Not on this side of India.

17821. That he has improved it?—I should say so certainly.

17822. And is the relative proportion of Europeans employed, having regard to this expansion of trade, greater or less than it used to be?—Greater.

17823. There has been no tendency in European firms to substitute the cheaper Indian agency for the European?—I do not think that you will get the same efficiency.

17824. I want the fact: has there been any tendency?—No, not to my knowledge.

17825. Can you tell us, from the experience of your firm and other firms in India generally, the ordinary leave rules under which Europeans are employed in commercial firms?—In my own firm, when a man comes out for the first time, he is out here for five years. He goes home once in three years.

17826. After five years, how much leave does he get?—Six months.

17827. On full pay or half pay?—Full pay.

17828 No passage?—No.

17829 Thereafter, at the end of every three years, he gets six months' leave?—Yes.

17830. On full pay?—Yes. We do not limit the man to six months, because if he wants an extra month, he can have it. He would, no doubt, come out at the end of five months if you want him to do so.

17831 In addition to that, does he get any annual holidays? Is there any system of giving annual holidays?—No system of holidays, except when a man wants a holiday.

17832. There is no system of annual holidays, say one month in a year?—Generally he gets more. But there is no fixed rule that the man must go away for a month in the year.

17833. As a matter of fact, do you or do you not give them annual holidays?—Not in the sense that you refer to. We allow them whenever they want it, generally a month or more.

17834. That is casual holidays?—Yes; he takes them as it suits him best.

17835. Another question I should like to ask you is this: What leave do you give to Indians that are employed in your service?—They get the whole of the Puja holidays, that is probably a week or more.

17836. Are these the only holidays?—That is the only holiday; and that is during the Puja, when the office is shut for a whole week. Then, he has got 20 public holidays in the year. If a man wants a holiday for any particular day, say when he is sick, or anything like that, he always gets it.

17837. Holidays for sickness?—Yes, certainly.

17838. But there is no system under which he has a fixed amount of leave like that which you have for Europeans?—No system.

17839. During such holidays as he has, is the Indian also given full pay?—Certainly.

17840. Do the Indians in your service ordinarily go on from year to year until their retirement, only getting the ordinary usual number of casual holidays in the year?—Oh, dear me, no. Some of them, when they have been with us for a long time, get three or four months' leave and go away to the hills or wherever they want to go to.

17841. On full pay?—Yes.

17842. You cannot give us any definite statement as to the system of leave that an Indian in your service ordinarily gets?—No. In the mercantile business, it is difficult to regulate holidays to exact time.

17843. You know that a civilian retires on an annuity of £1,000 a year?—I do.

17844. Can you give us any idea as to what the average position of a European in business in Calcutta at the time of his retirement would be relatively to the position of a civilian? Do you think that his average income is more or less than £1,000?—That depends upon his capacity, entirely. If he is a capable man, there is no saying what he may get. He may get very much larger; in fact, he would. For a man who is a successful merchant, it would be a very small retiring allowance indeed—£1,000.

17845. But the average income, you cannot give us any idea of?—It is impossible to find that out.

17846. (*Mr. Chaubal.*) In answer to question (2), you say that, during the last few years, there has been a marked change in the class of men entering the Indian Civil Service. Will you tell me roughly for how many years past you have been seeing this change? I should like to know roughly, if you can give me, the number of years during which this change has been visible?—I cannot give you any idea.

17847. Not even roughly?—Not even roughly. I have been out here for the last 25 years.

17848. You have seen that during the last 25 years. When you said "change", I thought that under some other system there was something else?—If you would suggest any better word, I shall be delighted to have it. I used what I considered to be an appropriate word.

17849. When you call it a change, I thought that, before the last 25 years, or sometime before, you had seen a state of things which was otherwise.—I think I explained to Mr. Sly what I meant.

17850. You explained what it consists in?—Yes.

17851. My question is: when you say there has been a change during the last 25 years that you speak of, whether before the last 25 years, the state of things was otherwise, and if so, when this change came in?—I cannot tell you what took place before I came.

17852. For aught we know, these defects which you point to—whether they be in the wording you have given to Mr. Sly or in the wording of your written evidence—might have been there all the time?—Might have been there, possibly.

17853. I will put it to you: since what period of time has this change occurred?—I should certainly not like to say it. It is impossible to fix it.

17854. So far as you are concerned, you say you have been seeing it since the time you have been here. I suppose that, in addition to the manners, social position, etc, that you have spoken of in your evidence, such as commonsense, broad-minded views and practical sympathetic temperament—all these are ingredients in respect of which you have been noticing this change?—Probably.

17855. Then in answer to question (7), you say there is no reason why a proportion of vacancies in the Indian Civil Service should not be filled by natives of India. Can you say what, in your opinion, the proportion that should be filled by natives of India should be?—I should not like to say it. I am not an expert, and I would leave it to the Government of India to say it.

17856. You leave everything vague?—I should certainly leave it to the authorities who have got the right to do what they consider best.

17857. You are aware that, in the year 1879, the authorities that you refer to thought that for every five English Civil Service recruits, one Indian should be recruited?—I take your word for it.

17858. You do not consider that might have been an improper proportion to declare. When the authorities declared it in 1879, you would not venture to say that it was a wrong proportion which the Secretary of State fixed?—No.

17859. Since 1879, I suppose you admit that there has been some change in India, in Indian education and Indian capacity, although it may not come up to the western capacity that you are speaking of. Still I suppose you would admit that since 1879, there has been a marked rise generally, in ability and education in the country throughout?—Undoubtedly.

17860. With this increase, you would certainly not say that the proportion that was declared in 1879 now requires to be lessened. Would you?—I think I have said something to that effect. I do not think that the character of Indians has improved as much as education has improved.

17861. Whatever character Indians had in 1879, taking that into consideration, the authorities then thought that they would be safe in fixing one-sixth recruitment for Indians, and I now put it to you in this way: taking into consideration the fact that since 1879 there has been a remarkable increase in the capacity, ability, and education of Indians, the proportion declared in 1879, although you may not increase it, should certainly not be lessened?—I am giving you my opinion as a mercantile man. I look at character quite as much as education, if not more.

17862. Are we to suppose that the authorities in 1879 ignored this element of character?—I cannot tell you what guided them in coming to such a decision.

17863. You do not expect that they ignored it? You do not expect that they were in error? —I am sure they were not.

17864. Let us have your answer, assuming that they considered it?—I cannot tell you what reasons guided them in 1879 in coming to that decision.

17865. In the first place, do you know what the present proportion is—that is, in 1912?—I saw the figures the other day; but I forget them now.

17866. Would you be surprised if, as a matter of fact, that proportion which was declared in 1879 has not yet been reached?—I would not be surprised.

17867. If it has not been reached—that proportion which should have been one-sixth—and if it is only one-tenth, even then you would be against increasing it up to one-sixth?—Yes.

17868. Supposing you find that the proportion of Indians which, it was thought, should have been one-sixth in 1879, is about one-tenth in 1911-12, then would you think that the one-tenth may be increased to one-sixth?—I presume that if there was a certain percentage of appointments open to Indians, it was their own fault if that percentage was not filled.

17869. I want to get clear about one thing. I am not able to understand from your evidence whether this change which you describe in answer to question (2) is inherent in the system of competition or is in some way due to the liberal educational facilities that have been provided. We have had the evidence of some witnesses who say that this sort of test must almost fail as a test of the character of candidates as you call it. Am I to understand that you trace it also to the same cause or whether there is anything special in what you say that it is due to a considerable improvement in the liberal educational facilities that exist now-a-days?—I do not think that there can be any question that, in England, the types of men that we can now get have far better education than those we got many years ago. Many men now come up for the Indian Civil Service who could not come up in the olden days.

17870. It is not in the nature of the test, because the test is a competitive one and that is not a test of character. Am I to understand you to say that, at present, as regards recruits who come into the Civil Service, there is no test of character and capacity?—That I am afraid I cannot say. Probably there is a test of character. A man has to bring forward certain certificates before he is admitted into the Indian Civil Service. For my own branch of business, that is certainly so.

17871. You make it still more difficult for me to understand how it is that the educational facilities have brought about this change?—Because they have improved.

17872. Suppose the educational facilities have improved and the necessity for certificates remains the same, what is the connection between the deterioration of the Indian Civil Service and the increase of educational facilities?—It allows a larger class of men to go into the Indian Civil Service. I have got the idea in my own mind, and I am perfectly well aware what I am driving at.

17873. From your experience, you are distinctly of opinion that there is a much better feeling of mutual respect between Europeans and Indians engaged in business than between officials and the public?—I have said so. I think it naturally follows.

17874. (*Sir Theodore Morison.*) There is only one question that I would ask you with reference to your answer to question (6). In your answer, you lay stress upon the great difficulty which must be kept prominently in view of maintaining secrecy in regard to examination papers, and this, you say quite truly, has been already pointed out. I understand that you give it the support of the Chamber of Commerce. The Chamber of Commerce, speaking through you, says, "It is a very important one, and too much stress cannot be laid upon the necessity of keeping it well in the foreground." Frankly, do you think that there is anything in it?—I do. There has been a great scandal with regard to the information leaking out.

17875. I have been connected with education in India, and I can probably tell you something of this scandal. Do you know anything about it?—I know only so far as what the public know about it.

17876. When you have an important document coming to you from home, do you find any difficulty in keeping it secret?—There is great difficulty in keeping the information quiet.

17877. When you have a document, do you mean to say that you cannot prevent your subordinates from reading it? When an important paper comes from England which you do not wish to be known in the office, do you have any difficulty in preventing your subordinates from reading it?—It depends entirely on what it was. If it was a document that was intended for me individually and nobody else had anything to do with it, I put it in my own private safe.

17878. And you lock it up?—Yes.

17879. And keep the key in your pocket? —Yes.

17880. That is all what is required in regard to the examination papers. You receive from England a bundle of papers; you put them in a safe, lock it up, and keep the key in your pocket; and you would not open it till the examination day. When these simple precautions have not been observed, and when the key is left with the chaprasi, then the examination papers get out?—We are all human beings. These simple precautions are most easy to forget.

17881. Do you not think it is specially an important occasion, connected as it is with the Government examination?—It is a very important occasion.

17882. I think we can assume that the responsible Government, having an important thing like this, would not have much difficulty in securing the things safely under lock and key?—Yes.

17883. (*Mr. Mukherji.*) You have said that in your position you have been brought into contact—constant contact—with Indians?—Yes.

17884. Surely, you have come across some hard-headed business men?—Splendid fellows.

17885. Do you not think that they do not display unwillingness to accept responsibilities?—They are a different class to those who come into the Indian Civil Service. They are mostly Marwaris.

17886. They surely have a knowledge of the value of time?—Not very much.

17887. Do you not think that, in course of time, they will work their way up?—Undoubtedly.

17888. (*Mr. Sen.*) Only one question I want to ask you You say, in reply to question (19), "My experience of 25 years in this country shows that there is an inherent feeling of mutual distrust of Natives by Natives, while their complete disregard of the value of time is well-known"?—That is my opinion.

17889. Your remarks are confined to the clerks of the mercantile offices, or do they extend to the Judicial and Executive officers?—I should not like to classify like that. But I think it is almost an axiom in this country.

17890. Do not the Government insist upon their officers and subordinates attending office punctually and in time?—I hope so.

17891. Judicial officers?—I hope so.

17892. Executive officers?—I hope so.

17893. Is not a position of responsibility given to a Deputy Magistrate, and is he reluctant to take that position?—I should not think so.

17894. Your remarks are quite general?—If you will allow me, I may be allowed to explain what I mean. I do not think that the natives of India work with the same sense of duty as the Englishmen do. If I am away here, just now, I am perfectly satisfied that the superior work in the office is being done just as well as if I was there. But if I left the office in subordinate charge, the staff would undoubtedly become slack.

17895. Then you refer to the administrative quality; that is to say, the Natives of India are wanting in administrative quality and governing powers?—Time is not the same thing to them as it is to Europeans.

(The witness withdrew).

At Calcutta.

Friday, 31st January 1913.

SEVENTEENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
GOPAL KRISHNA GOKHALE, ESQ., C.I.E.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, ESQ., Chairman of the Calcutta Improvement Trust.
SARODA PRASAD SEN, ESQ., Additional Sessions Judge, Sylhet.
RAI BAHADUR PRIYA NATH MUKHERJI, Inspector-General of Registration, Bengal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E., } *Joint Secretaries.*
R. R. SCOTT, ESQ.,

JNANENDRA NATH GUPTA, ESQ., I.C.S., Magistrate and Collector.

Memorandum relating to the Indian Civil Service.

17896. At the outset I wish to deprecate very strongly the introduction of any unnecessary racial questions or an undue partisan spirit into the consideration of this difficult problem. If the labours of this Commission to elucidate the trend of informed opinion on this subject result in the stirring up of bad blood between Europeans and Indians, I feel very strongly that more harm than good will be done, particularly at the present moment, when the whole political atmosphere of India is surcharged with cross currents of racial feeling and prejudice.

(ii) The demand for simultaneous examinations in India for the recruitment to the Indian Civil Service is the outcome of the desire of educated Indians to have equal facilities for admission into the highest posts in the State, and I think it is this general aspect of the case which we should keep before us in discussing any special schemes which might be advocated for the realization of the above object. Having regard to the avowed mission of England in India, the solemn assurance given to Indians in the Statute of 1833 and the Proclamation of Queen Victoria (1858), the recent declaration by the Secretary of State, Lord Morley, on the spirit in which these assurances should be interpreted, the long period of apprenticeship through which the Indians have now passed, and lastly to the memorable message of hope delivered only last year to the educated Indians by His Majesty the King-Emperor himself, there can be no question that such demands and aspirations of the Indian people should be examined in a liberal and generous spirit. At the same time it is equally incumbent on us to see that any further advance in the direction of readjusting the machinery of administration in favour of Indians after the far-reaching reforms which have only recently been introduced, should take due note of any practical difficulties which might lie in the way, and of the necessity which exists under present circumstances of preserving the predominance of the European element in the higher branches of the civil administration. Any practical and workable scheme for simultaneous examinations which may be devised to satisfy the legitimate aspiration of the Indian people, while fulfilling the above condition, will have my entire support.

(iii) I find that since 1853 only 84 Indians have found admission up to the present day into the ranks of the Indian Civil Service, against a total of 2,643 Europeans for the same period. The average annual rate of admission for Indians therefore comes to only 1·4, and the proportion of total admissions of Indians to that of Europeans comes to 3·2 per cent. In Bengal, in October 1912 there were only 14 Indians in the service against a total of 172, or 8 per cent., and for the whole of India, including Burma, there were 59 Indians out of a total 1,242, or less than 5 per cent. These figures speak for themselves. The staunchest supporter of the predominance of the British element in the Service will hardly maintain that this state of things is either fair or satisfactory either from the Indian or Imperial point of view.

(iv) So long ago as 1884 it was suggested by the Indian Government that 18 per cent. will be a fair proportion for Indians in the Imperial Civil Service. If after nearly 30 years the maximum is now fixed at 25 per cent., I do not think the demand can be characterised as being either too ambitious or unreasonable. I think it will be a more straightforward policy for Government to fix such a limit than to adhere to the present system of recruitment exclusively in England, which automatically provides for the overwhelming predominance of the British element and the almost practical exclusion of the Indians. On the other hand, it will also be the wisest policy for Indians to accept this compromise as being the most favourable solution of the question which can be reasonably expected under existing circumstances. I have seen it suggested that, instead of imposing a limit, the Secretary of State should have the power to add to the list of successful candidates, a sufficient number of Europeans to secure a proper proportion between the European and Indian elements. As the number of vacancies is fixed according to actual requirements, this proposal will not be possible in practice. Besides we could not very well have two systems of recruitment for the same service and still preserve its homogeneity. Another alternative scheme is to accept a limitation, but to have two lists, the number of vacancies on the Indian list being determined by deducting the number of Indians who are successful in London from the total number available for Indians in the year concerned. I am not in favour of this alternative scheme either, because it may happen that the last man who will qualify in India would not have got in at all if there had been only one list. There will thus be practically two standards, and, as a consequence, differential treatment of officers who will be recruited in India will not only be to some extent justified, but is sure to follow. And I am strongly opposed to any differential treatment whatsoever between the English and the Indian members of the Service, and it is on this condition alone that I am prepared to advocate any departure from the present practice.

(v) My scheme would therefore be as follows:—There will be simultaneous examinations both in England and India with one list only, but the maximum number of appointments which will be open to Indians will be previously fixed. I have some experience of the standard of examinations in England and in India, and I have no doubt whatever that, for a long time to come, there will be no chance of any Indians being left out of the successful list on account of the working of this limitation rule, if the maximum is fixed at the figure proposed by me. As a matter of fact, I am almost certain that for some years to come, there will be very few, if any, who will be able to win a place on the list of successful candidates through the medium of the examination to be held in India.

(vi) To suit this scheme, the limit of age will have to be considerably lowered and be fixed between 17 and 19 years. After passing the open competitive examination, every successful candidate will have to study at some university in England for three years, and will be required to take a degree. A man who fails will be declared ineligible. There will be nothing unfair in this arrangement, as no separate final examination will be required as is the case at present. Special arrangements will have to be made during this comparatively long period of probation for training in law, in the vernacular languages, and for attendance at law courts. I fancy it may be urged that this is perhaps too long a period of probation after admission into the Service has been practically secured, but I am decidedly of opinion that life at an English university is never likely to prove anything but of engrossing interest to all young men, either English or Indian, specially if they take full share of university life and work for a degree. The selected candidate may receive £200 annually from Government during their period of probation.

(vii) The advantages of the above scheme are as follows:—(*i*) It will secure a preponderance of the European element in the Imperial service. (*ii*) It will satisfy legitimate Indian aspirations. (*iii*) It will provide for the enlistment of the most capable amongst the Indians who may be available. One of the gravest defects of the present system is that the most capable Indian youth, if he is poor, has very little chance of competing for the examination. (*iv*) It will provide for complete university training for each successful candidate. In the case of all candidates, but in the case of the Indians specially, such a university training is essential. And as the Indian will join the university when he is comparatively young and stay there the usual term of three years, it will not be possible to say that he has received only a superficial finish. (*v*) In case of failure, the candidate will be still young enough to choose another career for himself. He may go on in the general line and complete his education at the university or qualify himself for some other profession.

(viii) It is necessary to pursue the above scheme a little further and examine it in the light of the general view of the case to which reference has been made in the beginning of this note. To put it more concretely, I think it is necessary to show how this scheme will fit in with the existing arrangement by which Government has provided for the enlistment of Indians, outside the Indian Civil Service, to some of the higher posts in the service.

(ix) To secure this object of getting a few more Indians in the higher posts, the Statutory Service was created and some officers were appointed according to the rules framed in 1879 under the Statute of 1870. This system of recruitment, however, fell into discredit, and on the recommendation of the Public Service Commission of 1885, some of the higher appointments were thrown open to the reorganized Provincial Civil Service, and which were thenceforward known as "listed posts." At the present moment, seven members of the "Provincial Civil Service" and two of the Statutory Service are incumbents of these "listed posts." Two more of the superior appointments (*i.e.*, appointments of over Rs. 1,000 pay) are held by members of the Provincial Service. It might also be mentioned in this connection that there is altogether room for 98 such superior posts for the members of the Bengal Service for appointment under the Bengal Government and the Government of India. Out of these, besides the 11 appointments noted above, 12 others are at the present moment held by Indian members of the Civil Service. The ratio of Indians who hold superior appointments is therefore just over 23 per cent.

(x) The questions which have therefore to be answered are:—

(*1*) Whether, having regard to the actual existing strength of the Indian element in the higher appointments, it cannot be maintained that the existing arrangement sufficiently provides for legitimate Indian aspirations, and any further increase of the Indian element at the present moment will endanger the safety of the Empire and lower the efficiency of the machinery of administration.

(*2*) Even admitting that it is advisable to admit Indians to a larger share of these superior appointments, whether it will not be cheaper and more in consonance with the bulk of public and expert opinion, Indian and European, to increase the number of "listed posts" than to have simultaneous examinations for the recruitment of the Indian Civil Service in India as well as in England.

(xi) As regards the first question, I may repeat again what I have already said: that I believe and maintain that in the present stage of progress in India, a preponderance of the European or rather English element in the higher ranks of the Service, is desirable and necessary. It is because of this view of the case that I have accepted as the desirable maximum strength of the Indian element in the Civil Service so low a figure as 25 per cent. or one-fourth of the total force. But I have also said that, in my opinion, it will be a long time before, even with simultaneous examinations, this maximum strength of the Indian element in the service will be reached. It is for this reason that I did not take into account the existence of the listed posts in fixing the desirable limit of the Indian element in the Indian Civil Service. But for the sake of argument if it has to be admitted that this maximum will soon be reached, then the only possible positions are:—

(*1*) Either that, after the introduction of simultaneous examinations, and after it is found in practice that the maximum limit of Indians is reached, the listed appointments should be abolished.

(*2*) Or that when such a contingency does arise, the total maximum of Indians who will be admissible to the superior posts should be slightly raised and fixed at a higher level, say one-third of the total number of such superior appointments.

(xii) I am in favour of the second of the above two alternatives. I know that some hold that after the introduction of the simultaneous examinations for the Indian Civil Service in India, the most talented Indian youths will have ample scope for their aspirations in the Indian Civil Service examination which will be open for them in India, but if they fail and have to join the Provincial Civil Service, they should not lay any claims to appointments which were within their reach, but for which they failed to qualify. This argument may perhaps be correct in theory, but I do not accept it as being sound in practice. The bulk of the work of the civil administration, and perhaps some of the most difficult part of the work, is done by the members of the Provincial Service, Executive and Judicial. Amongst them are men who, in some respects, are quite as capable as members of our own service. Everything that is possible should therefore be done to encourage this service. Besides, an open competitive examination may be the best workable scheme for the recruitment of candidates to the service, but we all know that some really very able men fail to pass examinations, and if such men have to join the Provincial Service and afterwards give proof of their worth by the actual record of their good work, there should be some provision for the preferment of such specially able men to positions above the grades of their own service. So some at least of the present "listed posts" should be kept for the members of the Provincial Civil Service, but the service should be made to realize that they have no sort of claim to these posts, which will only be given to officers of exceptional merit. Great care should be taken in selecting officers from the Provincial Service for the "listed posts," for although I freely admit that there are officers amongst this service of very great merit and capacity, some selections to the higher posts have, however, not been altogether happy. I am also of opinion that the officers who were recruited to the Provincial Service by competitive examination were decidedly superior in ability to the officers recruited under the present system, and recommend a return to the old system, at least in part. The pay now fixed for the different grades of the Provincial Service does not appear to me to be suitable and should be somewhat increased. Care should also be taken to see that members of this service are not promoted to the higher posts at a stage of seniority in their service, which might give just cause for complaint to a member of the Imperial Service. At the same time one of the chief arguments against recruitment for superior posts from the ranks of the Provincial Service is that these officers are promoted to higher positions too late in life, and find some difficulty in adapting themselves to their changed position, and on account of advanced age are prevented from doing themselves full justice. A practical solution of the difficulty will have to be devised. On a rough calculation, about eight superior appointments will still be available for the members of the Provincial Civil Service, even after the enlistment of the maximum number of Indians in the Indian Civil Service

(xiii) The only other point in the first question which needs reply is whether the appointment of Indians up to one-third of the total number of the superior posts, is likely to appreciably lower the efficiency of the administration or endanger the safety of the Empire. Before giving an answer to this question, I wish to point out that, in my view, the maximum of one-third will not be reached for some years to come, and that the "listed posts" to which members of the Provincial Service will be eligible, will be the least responsible and difficult charges amongst the superior appointments. But in any case, according to the school of opinion to which I belong, giving enlarged scope within reasonable limits, as is now proposed, to the aspirations of the most deserving amongst the Indian subjects of His

Majesty will, far from endangering the Empire, go a long way towards strengthening and deepening its foundations.

(xiv) Then as regards the second question, I do not consider that increasing the number of "listed appointments" and the recruitment of a larger number of Provincial Service men for such posts, will either be a wise policy in itself or satisfy the demands of the Indian community. It will not be wise, because it is sure to lower the efficiency of the administration, for however capable a few of the members of this service may be, men recruited and trained in India cannot be the equals in every respect of men who are trained in England. Any economy that might result from this arrangement will, in my opinion, be too dearly bought, and even this consideration will not justify the lowering of the efficiency of the machinery of the administration. The advanced section of the Indian community will not accept this compromise, because it is the Imperial Service which appeals to their imagination and which arouses their keenest enthusiasm.

17897. *II.* We may now take up the question of the efficiency of the Indian members of the Civil Service. In the ordinary course of things, this is not a subject on which I should have liked to say anything, but judging from the evidence which has already been given by some witnesses, and I regret to find by some members of our own service, silence on our part might easily be mistaken for weakness or even admission.

(ii) In my humble opinion, and I mean to speak quite frankly on this point, the method which is being adopted to elicit opinion on this subject, does not appear to be at all suitable and in fact is open to serious objections.

(iii) To begin with, as the results of the enquiry into the efficiency of the present Indian members of the Civil Service will have such an important bearing in shaping the opinion of the Commission on some of the most vital questions now under discussion, in ordinary fairness there should have been one member at least on this Commission to look after the interests of the Indian members of the Service and to see that justice was done to them. As it is, though there are members to represent the English members of the Service and even the subordinate services, in the co-opted members, not a single member who sat in Madras or who are now sitting in Calcutta is directly concerned with our branch of the Service.

(iv) My second contention is that this question should have been addressed only to the Local Governments and one or two selected senior officers in each province, under whom Indian officers have worked and who command the confidence of all sections of the Service. As it is, even officers who are much junior to us, and who have practically no experience of administrative work of districts, and who have seldom, if ever, come into official contact with us, have been allowed to sit in judgment on us. What weight is to be attached to such *ex parte* opinions it will be for the Commisson to decide. But I may be allowed to point out that such a procedure is not likely to encourage good relations between us and the English members of the Service, or to bring home to them the fact that they are amenable to the same rules of discipline in the Service as we are. I do not see, also, any sufficient reason why the question could not have been circulated to some at least of the more prominent Indian witnesses outside the Service.

(v) Turning now to the charges that are generally made against us, it is of course easy for an adverse critic to find fault with us and make vague allegations that we are lacking in force of character, in powers of organization, in driving power, etc., but if the same critic were asked to point out from the record of his own career, for instance, on what particular occasions he had given any special proof of these desirable qualities, and in what cases to his own knowledge his brother Indian officer had failed, I venture to say that the critic will meet with some difficulty. At any rate I feel certain that it will be conceded on all hands that a whole body of public servants, the dearest ambition of whose lives is to serve Government faithfully and to discharge their duties to the best of their ability, cannot be traduced in this summary and off-hand fashion. If the Commission consider it worth while, and if they think that it will repay the trouble, I should advise that two or three districts may be selected, where both European and Indian officers have served as District Officers, and the record of their work minutely examined. It will not be sufficient only to refer to official documents regarding the comparative worth of such officers, but we should go further afield and find out how many useful schemes and institutions, *e.g.*, schools, dispensaries, village-roads, excavation of new tanks, inspection-bungalows, etc., each officer has organized and carried through. Let it also be found out—in how many cases of disputes between rival landowners and *zamindars* they have personally interfered and brought about amicable settlements, how many gangs of *badmashes* and bad characters they have personally broken up, in how many cases of serious crime they have personally supervised, in short how far they have succeeded in making the name of the British Raj loved, respected and feared throughout the length and breadth of their districts, in the remotest hamlets and villages. If such a test were to be adopted, I venture to say that those of us who have held charge of districts will not shrink from a comparison with the record of any European officer.

(vi) Of a similar vague nature are the assertions regarding the superiority of English officers in point of pluck and dash and ready resources in emergencies. Every District Officer, at least in Bengal, knows but too well that occasions for the display of such qualities are extremely rare in the rather dreary routine of his daily life, and the capacity for patient toil and unflagging industry is what he mostly needs. But even regarding these more brilliant qualities; is it quite sure that if an impartial inquiry were to be made into all the cases where District Officers had failed to take prompt and vigorous action, the balance will be entirely against the Indian members of the Service? Does the history of the recent disturbances which occurred in most of the districts of Bengal during the political agitations which followed the Partition of Bengal, conclusively prove that an English District

Officer is more capable of maintaining law and order in his district than an Indian District Officer? Then regarding the clash of sectarian and communal interests, can it be proved that all the English District Officers were able to maintain a more impartial attitude and to hold the balance even between different classes more successfully than was found possible in the case of Indian District Officers? An impartial inquiry into the real facts in each case, may, I venture to submit, result in giving a shock to the preconceived notions of some of our critics.

(vii) Altogether about 20 Indian officers have joined the Bengal Service up to date, and I think the examination of their records will show that as a body they have not fallen short, in point of efficiency, of the average standard of excellence reached by their European fellow officers. In the executive line, they count such brilliant names as of the late Mr. R. C. Dutt, C.I.E., and Sir K. G. Gupta, K.C.S.I. In the Judicial line, Mr. B. L. Gupta was perhaps one of the most capable District Judges of his time, and was chosen to be the Legal Remembrancer of Government for his sterling merits. It is true that after officiating thrice as a Judge of the High Court he was not confirmed, but the officer who superseded Mr. B L. Gupta also superseded three other European Judges at the same time. Another comparatively junior officer has even excelled Mr. B. L. Gupta, and has just been appointed Judge of the Calcutta High Court, in supersession of more senior European officers in the judicial line. Mr. K. C. De, as Registrar of Co-operative Credit Societies in East Bengal, did most meritorious work which was warmly appreciated by Government. It is an unfortunate fact that since the days of Mr. R. C. Dutt, no Indian officer in the executive line has been given charge of any really important district, and in fact that we have been placed exactly on the same footing in this matter with the members of the Provincial Service holding "Listed posts," and therefore it might justly be maintained that opportunity has been lacking for Indian Civilians to show their capacity for the administration of heavy districts. The reasons for the pursuit of such an exclusive policy, specially after the brilliant manner in which Mr. Dutt acquitted himself and which elicited the admiration of the Viceroy himself, must be best known to Government, but to condemn us now as a body and to say that we have not been given any important districts, because we have not proved fit, is in my humble opinion to add insult to injury. The sophistry of such an argument that because we have not been given Secretariat appointments the inference is that we must be incompetent to hold them, is too apparent to need serious discussion. I need only mention that not a single Indian has ever been tried, and not even Mr. R. C. Dutt, the brilliance of whose literary attainments and his great administrative ability were never questioned, nor Sir K. G. Gupta, who is now a shining ornament in the Council of the Secretary of State, ever got a chance. But a change of policy is already discernible in this connection, and the Indian members of the Service are grateful to the present Government for having placed two, out of the three senior men in the Executive branch, in charge of fairly important districts, and the third in charge of an important administrative experiment in connection with the introduction of the "circle system."

(viii) I have been betrayed into making rather a long note on this point, because to my mind the spectacle of one section of the Imperial Civil Service who have practically all the power and influence on their side attempting to condemn an infinitely small minority, who in this instance at least have no means of defending themselves, is a peculiarly sad and depressing one. It would have been quite possible to disapprove of the introduction of simultaneous examinations in India without running down the Indian members of the Service. For, if these critics expect to carry any conviction, the inference is that not only should we have no simultaneous examinations in India for recruitment to the Indian Civil Service, but that we should close the door altogether against the admission of Indians to the higher services of the State. The last Service Commission which sat more than a quarter of a century ago, came to much more liberal conclusions on this point, and the witnesses examined by them gave much fairer and more guarded opinions. Is it the case that this marked change in the European attitude towards the Indian members of the Service is solely due to the falling off in the capacity and efficiency of these officers? The very officers who are condemning the Indian members are loudest in their claims about the prestige of the Indian Civil Service, but do they forget that there is something due to our prestige also and that we are also members, however humble, of the same Service? In their anxiety to maintain the British character of the Service and keep its traditions of efficiency untarnished, they forget that perhaps within the last ten years a higher and far more difficult standard of efficiency has come into being, and that now more than ever, restraint and not irresponsible language, wide tolerance and sympathy with Indian aspirations and not distrust of even their own brother officers in the Service, are the qualities which will mark out the most successful Indian administrators of the future.

MR. J. N. GUPTA called and examined.

17898. (*Chairman.*) To what community do you belong?—I belong to the Brahmo Samaj.

17899. What public position do you occupy?—I am on special duty just now in connection with the introduction of what is called the "circle" system. I am a second grade Collector, officiating in the first grade.

17900. You are a member of the Indian Civil Service?—Yes, I am a member of the Indian Civil Service.

17901. How many years have you been in the Service?—This is the twentieth year of my service.

17902. You came in through the open competition?—Yes.

17903. How many years' probation had you?—I had one year's probation only in England.

17904. Looking back on it now, and regarding it in the light of your subsequent experience, do you consider that that one year was sufficient, or would it have been better if you had had a longer probation?—I do not think it would have been of any advantage to me if I had spent another year's probation in England. I think that my time spent in India was probably just as well used

17905. You had your one year's probation in England, and then you came out and had a probationary period here?—Not actually a probationary period: I was under training.

17906. You think that, on the whole, that would be sufficient to equip you for your work?—Yes. I think that the time spent under training is the most important period of a young junior civilian's career. If properly looked after, and if special arrangements are made during that time, I think more time need not be spent on actual probation.

17907. Did you go to a University?—Yes, I was at Balliol College, Oxford.

17908. What did you do there?—Before going up for the Indian Civil Service I attended college lectures at the University. After passing I had to do special duties. I had to go up for special lectures, and I attended some University lectures; but I did not go up for any degree.

17909. You did not take your degree?—No.

17910. How many years were you there altogether?—Altogether I was there about three years.

17911. You have answered our interrogatories in the form of a memorandum, and I gather from your memorandum that you are anxious that further facilities should be afforded Indians for entering the Civil Service than at present obtain?—Yes.

17912. You are also anxious to see preserved the predominance of the European element in the higher branches of the Administration?—Yes, that is so.

17913. It is with the purpose of fulfilling these two objects that you have proposed the scheme which you have unfolded in your memorandum?—Yes, exactly.

17914. You are not satisfied at present that Indians have their proper share in the civil administration of India?—No. I am not satisfied.

17915. You do not consider that the open competitive examination in England affords sufficient opportunity to Indians?—That is so.

17916. You consider that an opportunity of a more practical character should now be afforded them of securing up to one-fourth of the posts in the Civil Service?—Yes, that is the limit.

17917. You do not support simultaneous examination without any limit, because it presents no guarantee in the future of preserving the European predominance upon which you set store?—Exactly.

17918. On the other hand, you oppose separate examination because in your judgment it will inevitably entail differential treatment as between Europeans and Indians?—And also probably lower the efficiency of the Service.

17919. You think that it will produce anomalies between the two races?—Exactly.

17920. You suggest, therefore, in your scheme a simultaneous examination with one list but with a maximum number of appointments for Indians previously fixed?—Yes.

17921. And you propose that the age-limits for the examination should be reduced to 17 and 19?—Yes, that is so.

17922. Why do you regard it as necessary to reduce the limits of age?—In order to provide for the training in England for those Indians who might find their way into the Service through the doors of the open examination to be held in India. With that object I would lower the age and require training in England for three years. They must go up to some University in England and take a degree there.

17923. I take it that the age-limits you suggest will apply to Indians as well as to Europeans?—Yes.

17924. How would there be time for an Indian to go through the three years' course and then pass an examination in India between the ages of 17 and 19?—He will go up for the simultaneous examination before that. He will go up when he is between 17 and 19 years of age; and after he has entered the Service and has passed the open competitive examination he will go to England and take his degree.

17925. You reserve the scholastic training until after the open competitive examination?—Exactly.

17926. And you would rely upon the educational facilities here to enable the candidates to pass the examination?—Yes.

17927. Then you would give every candidate three years' training?—Yes.

17928. Do you feel sure that the candidate will keep hard at work during so long a period?—Yes. I think so. Life at a University is full of attractions. The candidates will find a lot of facilities for improving themselves, especially if you require them to take a degree in order to be finally recruited into the Service. I do not see any reason why they should not spend their time usefully in England.

17929. In your memorandum you suggest two alternatives. The first one is, "Either that after the introduction of simultaneous examinations and after it is found in practice that the maximum limit of Indians is reached, the listed appointments should be abolished." That is your first suggestion?—That is not exactly a suggestion of mine. I say these are possible positions which will have to be taken—either one or the other. But the position I take up will be found in my second suggestion. I have made it clear in my memorandum.

17930. First of all, I will ask you this question. Would you advocate the retention of the listed posts in addition to the 25 per cent. which might be filled by Indians, as a result of competition?—Yes, in a limited form; but probably not to the same extent as we are doing now; but as prize appointments for the encouragement of the Provincial Service I would recommend the retention of a certain number of appointments—you may call them listed appointments.

17931. So that the actual number of higher posts in the Administration would considerably exceed one-fourth?—Not considerably. I have fixed the limit. I have said that one-third of the higher posts, that is, the maximum number of the higher posts, which Indians will hold at any time.

17932. That comes as your second alternative?—Yes.

17933. Your second alternative is that the listed post system should be abolished, and you would increase your limit for Indians from one-fourth to one-third?—Not exactly in that way. Perhaps I may be allowed to explain. I have first considered what I think is my scheme for allowing Indians to enter the Indian Civil Service, and I have fixed a limit of one-fourth for those men who will enter the Indian Civil Service; then I have taken up the question of listed posts, and I have said that in order to encourage the members of the Provincial Service we may still keep some appointments in what are called superior posts, namely posts that carry a pay more than Rs. 1,000 for those gentlemen. But if we do give them some of those posts, and if the members of the Indian Civil Service are also holding some of those posts, the total proportion will necessarily go up from one-fourth to a higher limit, and that limit I have fixed at one-third. I have said that probably there will be no objection to this, considering that for some time to come this limit of one-fourth in the Indian Civil Service would probably not be reached by the Indians; and, secondly, because the appointments which I propose to be given to the members of the Provincial Service need not necessarily be the most important appointments. As a matter of fact, I have suggested that the least responsible appointments, though of superior grade, may be reserved for them.

17934. I notice that in the course of your memorandum you pass a certain criticism, which may be right or wrong, on the procedure of the members of the Royal Commission?—I beg your pardon. If that is the impression my note has created, I unhesitatingly withdraw any remarks that I have made on this point. My object certainly was not anything of the kind, but only to clear up, or rather to explain, that we Indian members of the Civil Service are put in rather a difficult position when we find that critic after critic thought it was necessary to asperse us, and even members of the Subordinate Service thought it necessary to make remarks about us. That is the attitude which I took objection to.

17935. I only make allusion to it because you will quite understand that any such question would lie quite outside the province of the present enquiry?—On my part I unhesitatingly withdraw any inference of that kind. It was not my object.

17936. I can quite realize the object that you had in view?—Thank you. I thought I would take the first opportunity of removing any impression of that kind.

17937. The rest of your memorandum consists of a series of examples of Indian officers of the Service who have occupied positions of responsibility, and who you go on to show have successfully carried out their administrative duties?—To some extent that has been my object.

17938. I suppose you put those cases forward in order to show that in your judgment, given further opportunity, other Indian officers would fill those positions equally well?—Exactly so.

17939. (*Sir Theodore Morison.*) Am I right in gathering from your memorandum that you approach the subject of this Commission's enquiries not from the Service point of view, but rather as a grave political question?—Yes. I think that is the way in which I should like to approach this important question.

17940. Therefore you approach it neither from a Service point of view nor from the point of view of that section of the Service which you represent?—Exactly so; at least that is the idea I had before me.

17941. That is what I gather from your note; that you had that point in view?—Yes.

17942. I would not have asked this question if I expected you to give at all a partisan answer. I want you to tell me how, during the stress and troubles in the last years you have been going through in Bengal, the Indian members of the Service have stood by the Government—not necessarily your Service, but the Provincial Service also. How have they stood by the Government?—That is a difficult question, and that is naturally in the minds of everyone. During this period of troubles I suppose everybody will agree that the Government and its servants, members of the Imperial Service and the subordinate services, were faced with really exceptional circumstances which demanded resources which are out of the common run of things The way in which Government and the services as a body met that situation is known, I suppose, to all of you; so I will not go into details about that. I daresay some of the European members of the Service made mistakes and necessary steps were taken by Government to rectify these mistakes. Probably some of the Indian members of the Service have also made similar mistakes; but on the whole, so far as I know, and I am speaking not from a partisan point of view at all, I am not aware of any circumstances to justify the statement that as a body the Indian members of the Service, either of the Civil Service or of the Subordinate Provincial services, or of the Police, acted in a way which prove them to be unworthy to be trusted with the responsibilities which were imposed on them or that by comparison they proved inferior in any way to the European members of the services.

17943. Can you give any illustration of what you mean? You need not mention any names?—I will in a minute. I will not mention any names. I am not going to be so indiscreet. I may at once say that none of us, not even amongst members of the Indian Civil Service, was in a position of supreme responsibility, or in charge of a very heavy district; but some of us were in charge of average districts, and the responsibility which was thrown on the shoulders of the chief district officer, although, perhaps, it might have varied in quantity, was not very different in quality in different districts, by which I mean that he had to look forward to the same kind of trouble, and the same kind of complications, as an officer who was probably in charge of a heavy district. I think I had better speak about myself, though not, I hope, in a spirit of self-assertion. In the small district which I held I think it will be admitted that there was no trouble or complication of any kind. I had no riots, and I had no difficulties and complications between Hindus and Muhammadans; and I think my little district fared, as well as, and probably better than, any other district in the whole of Eastern Bengal.

17944. With regard to another question, you say you have recommended simultaneous examination with a certain minimum. You belong to the Brahmo Samaj community, do you not?—Not an initiated Brahmo. I am a theist. I still call myself a Hindu. I am a theistic Hindu. There is very little distinction between the two.

17945. To what community do you belong? – I call myself a Hindu.

17946. You belong to a section of Indian society in Calcutta which pays very great attention to education?—And especially to the ethical side of education?—Exactly.

17947. I understand there is a desire to institute a higher class of school, for instance?—Yes, we are agitating about that. We are very interested in a scheme of that kind.

17948. A school which will pay more attention to the training of character and the ethical side of education than is usually paid?—Yes; more than is available in existing schools in India.

17949. You, and the gentlemen with whom you are associated, try to get for their children the best education you can get here, or you send your children to England?—We do both.

17950. Are you satisfied that communities which have not got the same educational interests, and do not make sacrifices in order to get the same kind of education as you try to get, are you satisfied that in their case a purely intellectual test will give you the same results as it would, for instance, in Europe?—That is a very important aspect of the question, and I regret that I have not dealt with that point in my memorandum. From what has been said by other witnesses, I think that is a matter about which something might be said. You may at once say, for instance, that the Muhammadans should have the same facilities in this open competitive test if it was introduced into India as other people would have. I think, to begin with, some of the Muhammadans themselves do not want any differential treatment of any kind, and the reasons for that, I think, are very sound.

17951. I am not looking at it from that point of view. I want to know whether you, as an officer of Government, would be satisfied with the sort of up-bringing—ethical training—that can be acquired in the ordinary zilla school, to which I understand you and your community are not very willing to put your own children, or, at least, you want something better?—I should like to improve that aspect of the question in all schools as far as possible; but, of course, everybody will realize that there are very great difficulties, and this higher type of education can only be started in special institutions and under special circumstances. It will, first of all, require much more money, much higher fees will have to be paid by the boys, and very few guardians will be able to pay them. But if such institutions could be multiplied for every section, at least in suitable centres, I have not the least doubt that it will altogether be a move in the right direction.

17952. Yes, I agree with you. But then, when you have such schools, you might very well safely trust to the results of a purely intellectual test; but before you have them, I want to know whether you, as an officer, are willing to run the risk of whatever you get out of a purely intellectual examination?—Will you kindly make that question a little more clear—its bearing, exactly, on the question of simultaneous examinations?

17953. I am thinking of it as bearing upon your proposal of a simultaneous examination. Knowing, as I do, that you value very highly those aspects of education which are very much neglected in zilla schools at the present moment, I want to know if you are making efforts to produce another type of education. I want to know until this other type of education is evolved in India, whether you are willing to trust to the accident of a purely intellectual examination, in which you will be liable to have persons whose education has not been attended to in the way you think desirable—the other branches of it?—I think perhaps it would be better in one sense, till we have schools of a better type in India, to send our boys to England, and let them have their training there, and let them go up for their competitive examination from England; so that a larger number of Indians will thus go through that form of education which we are trying to introduce into this country. I mention England because our ideas of such types of school are centred in England. And I do not think that the two positions are contradictory. I think it is possible for us to go on trying to have a better type of schools in India, and at the same time also to press for a modification of the present policy by which the best type of Indian youths in the available institutions of this country do not have as good a chance for competing as other boys who, on account of such circumstances as being more rich, or having secured a scholarship, or for any other reasons, are able to go to England to compete at the examination now held exclusively in that country. It is possible, I think, to seek for both at the same time.

17954. My point may perhaps be put in this way. Would you be satisfied with regard to the education either of your own children or the children of your friends to send them to a zilla school in this country in which their intellectual advancement would be pushed on a great deal, but in which the other points of education which you value would not be attended to?—I would prefer to have institutions where that kind of higher education is available, but if there is not any available, I think I would have to be satisfied with what I can get.

17955. And you would be satisfied with the kind of officer you will get in those places? You are willing to take him?—Yes.

17956. (*Mr. Chaubal.*) Continuing the same subject on which questions have been put to you by Sir Theodore Morison, with the experience you have of the Indian students who appear at the competitive examination in England, and succeed and come out as officers here, do you not find that in their case sectarianism and narrowness of class bias is entirely broken as far as you have any experience of such officers?—

Yes, I think that is my opinion. I entirely repudiate that any Indian who has been to England and has entered the Indian Civil Service has any caste or prejudices of any kind They are Indian civilians, nothing more, neither Muhammadans nor Hindus. I think, as far as their actual work in the district is concerned, they have no sectarianism of any kind at all.

17957. So far as this evil of sectarianism or class bias is concerned, there is sufficient guarantee in the three years' training which you insist upon with the simultaneous examination in India?—As far as any guarantee of any kind can affect such a question. Of course there will be failures amongst Indians as there will be failures in any other community. But I say that generally the effect of the English training will be as you anticipate.

17958. In the fourth paragraph of your note, I see that you realize that with the institution of simultaneous examinations for a number of years to come there will be very few candidates passing through the Indian door?—Yes.

17959. I suppose you will also admit that the number of candidates going to England and appearing at the competitive examination in England would materially diminish if a simultaneous examination was started here?—Not necessarily, but to some extent I think so; because, as Sir Theodore Morison pointed out, some of us will still look to sending our boys to England not only with the object of getting into the Indian Civil Service, but of getting that education which is wanted in this country at this moment.

17960. But if simultaneous examinations are advocated, because facilities might be given to the poorer and more intelligent class of students in India who aspire to the highest posts, looking at it from that point of view, the candidates who cannot without outside help compete in England, would certainly not go if simultaneous examinations were introduced here?—I will take it at that.

17961. Then you may say that the percentage which you have given in paragraph 3 of your note may certainly be apprehended to get still less if you introduce simultaneous examination, at least for some years; whatever percentage you now find is likely to be materially reduced if you start simultaneous examination?—Not materially. I do not think there is any chance of its material reduction. If there is any temporary reduction, I do not think there will be any permanent reduction; but if there is any at all it will be from accidental causes, which may not have anything directly to do with the change of the system. There may be as now fluctuations from year to year. But I do not apprehend that, because there will be the open door in India, people will fail to take due note of the fact that at least for some time to come Indian boys will not get the same training in India as they will in England, or that the actual number of successful students will be less. Those people who are in a position to send their boys to England will take the same view of the case as I have, and anticipate the drawbacks of a training in India by sending their boys to England instead of taking the risk of keeping their boys in India and probably running the risk of failure. I hope I have made myself clear.

17962. I do not think you yet realize the force of what I have been trying to put to you?—Very likely not.

17963. I will make myself clear. You know that in certain provinces funds have been started by people in order to enable the poorer candidates, and those who come out to pass in the University courses here, and to assist them in going to England and appearing for the competitive examination there?—Yes.

17964. Such candidates will not be sent to England if a simultaneous examination is held here. Therefore I start with this. There is a certain percentage which you consider to be sufficiently low at the present day?—Yes.

17965. On the one hand, you would reduce a little, though not entirely or considerably, the number of those students going out to England; on the other hand, the present University course in India, I take it, is not adapted to giving instruction to students in the very difficult curriculum which you find in the examination?—Yes.

17966. As a result of that, if simultaneous examination were introduced, keeping up the same standard of difficulty, keeping the examination up to the same stiffness and character as now obtains, then you might say that very few would get through their examinations here?—Naturally.

17967. If that is so, then do you not apprehend that until we come to that stage, or that improvement in the University course, there is likely to be a still further diminution of the percentage?—My reply is in the negative. On account of accidental causes, for a year or two, there may be a tendency in the direction you indicate; but I do not think that the founders of these scholarships for enabling students to go to England and competing there will all of a sudden withdraw these scholarships. They will probably take the same view of the case as I do. At any rate, they will be very well advised to do so. Secondly, it will be wiser to have competitive examination here, and then wait for facilities to arise in this country, then to postpone open competitive examination in India till such facilities are actually available.

17968. Then at the end of paragraph 4 you say, "I am not in favour of this alternative scheme either, because it may happen that the last man who will qualify in India would not have got in at all if there had been only one list" As regards that, do not you find the same sort of thing happening now if you compare the results of two years in England? You see the sentence which I am referring to? In another place you say, "Another alternative scheme is to accept a limitation, but to have two lists, the number of vacancies on the Indian list being determined by deducting the number of Indians who are successful in London." You say you are not in favour of this alternative scheme?—I am not in favour of the alternative scheme altogether.

17969. It may happen that the last man who will qualify in India would not have got in at all if there had been only one list?—That is quite clear.

17970. I admit the force of what you say. I do not think that is likely, but if it is likely it is a thing which happens now if you compare the results of the two years. Supposing there are 30 vacancies, and a man fails because he does not come within the first 30 one year, and the next year there are 50 vacancies, and the man who has failed last year finds that he has not got in while people who got in in the last year got in on a low number of marks?—The number of marks obtained by the last man in one year may not have qualified him in another year, because the last man in one year might get 2,170 marks, and in another 3,500. Of course I am only taking a theoretical case. Thus our standard is not a standard of securing any minimum number of marks; it is only a competitive examination where people are considered to be qualified if they come up within the number which we want, say the first 30 men, if there are 30 vacancies.

17971. This inequality is in the nature of competition itself?—Yes.

17972. And, therefore, I do not see that that is an argument of very great strength against having two examinations at a certain interval, one in India and one in England?—I think so, in my humble opinion. I think that the moment there are two standards, namely, when an Indian student will get in because we must take in a certain number of Indians, say 20 or 30, and not because he has found a place in the open list, that Indian member has not qualified himself exactly under the same standard as any others taken in the same year. That is my position. I do not desire such a contingency to arise.

17973. In paragraph 5 you say, "There will be simultaneous examinations both in England and in India with one list only, but the maximum number of appointments which will be open to Indians will be previously fixed." Will there be no discontent if Indians who obtain a higher number of marks are passed over in that one list because of your limit being reached?—To begin with, as far as the practical side of the question is concerned, I have said that I do not apprehend that for a very long time to come it will ever exceed the 25 per cent. limit I have fixed. Even if such a contingency does arise, I think we ought to consider this question from a practical point of view. That is the best way of looking at such questions for we ought to be satisfied with what we can get. It is no use "crying for the moon" as Lord Morley said the other day.

17974. You have experience of executive and administrative work as an Indian Civil servant?—Yes; I have in a small sort of way.

17975. You have also exercised magisterial powers when you have held different posts?—Yes.

17976. I want to know, if a scheme for the complete separation of the executive and judicial functions were started, whether Collectors and Assistant Collectors will find any appreciable difficulty in the performance of their revenue and executive work because their magisterial powers are taken away?—That is a very large question which ought to be discussed by much abler men, and I feel some hesitation in committing myself to any definite opinion, but I think that on the whole separation may be effected to the extent which will prevent officers being placed in anomalous positions, for instance, of the same officer who is at the head of the magistracy also being in the position of the prosecuting officer. At the same time, I also hold that in the interest of sound administration a certain amount of executive training is very necessary for all District Judges and other persons who have to discharge judicial duties. I will put it at that.

17977. I assumed there was no training, but, if there was that training, you do not think that the efficiency of executive administration will suffer if the magisterial functions are removed, or are not kept in the same officer?—Probably it will not, provided powers like those under the preventive sections of the Criminal Procedure Code and those relating to the keeping of the peace, are reserved. The Government is already engaged in experimenting on those lines. I believe that the post of District Magistrate, or Additional Magistrate, as he is called, has been separated from the post of the District Officer, the latter looking after the general administration of the district and its revenue duties; whereas the District Magistrate is entirely in charge of magisterial part of the work. I daresay that some such scheme will probably have to be adopted, which will be found useful after actual experience.

17978. As a matter of fact, at present, is it not frequently the case that recommendations are made for investing Magistrates with second-class powers, third-class Magistrates with second-class powers, and second-class Magistrates with first-class powers; because in a certain district the time of the first-class Magistrate is taken up with administrative and executive work, and he does not find any time; therefore the second-class Magistrate must be invested with first-class powers?—I do not think that such cases are at all common. It may be that the senior officers, who are also exercising higher magisterial powers, have probably to devote some time to administrative work. But we divide off the work very carefully. We always keep some senior Magistrates to do magisterial work.

17979. In the recommendations which are made to the Government is this not often the ground put forward, that the time of so-and-so Magistrate is taken up with heavy executive work, and therefore another Magistrate should be invested with higher powers to relieve him of his first-class work?—Of course no recommendation on such grounds is ever made, and, even if made, is never granted—even when the officer who is recommended for higher powers has all the necessary qualifications for exercising those powers. I do not think I have ever recommended any officer to be vested with powers on those grounds; and, as far as I know, that is not the practice in this province.

17980. (*Mr. Gokhale.*) With reference to your proposal that a limit of one-fourth should be put on Indians getting into the Indian Civil Service, whether in India or in England, do you know that there would be a statutory objection to that under the Statute of 1858, which requires that appointments should be in the order of merit only?—Yes. I think so. I have not studied the Statute carefully, but I have been told that. If that is so, I daresay the Government will be able to find some means of modifying the Statute.

17981. Would you advocate an amendment of the Statute?—Probably, but what I should like better is to ask the Secretary of State for rules which may have the force of law.

17982 That could not be done unless the Statute is changed?—The legal advisers of Government should be consulted in this matter.

17983. As to the period of probation proposed by you after passing the examination being too long, was not there a time when the probation was three years, sometimes two and sometimes three?—I remember when it was two years, because mine was the first year when it was changed from two years to one.

17984. When the limits of 17 to 19, the probation was two and in some cases three years?—Very likely. I suppose a man who wanted a year to take his degree was allowed to do so.

17985. So that there have been cases where men have been on probation for three years?—Yes.

17986. And it would be the same thing under your scheme?—Yes.

17987. With regard to an answer you gave to Sir Theodore Morison that you would take such men as you get in India by means of a simultaneous examination even though they had no public school education behind them, is not there provision in your scheme that they should spend three years in England?—I think Sir Theodore had more in view the school part of the training. The position will be considerably modified by the subsequent training which these boys will get. It is not recruitment only in India, but recruitment in India and in England.

17988. You had no public school education?—No.

17989. You had only a University education in India?—Yes, in India. I took my degree here.

17990. And such education as one gets in India and three years' University education in England?—Not necessarily University education. I did not go up for my degree.

17991. You had three years at the University?—Not the whole time in the University, but in England.

17992. A recruit under your scheme would be in the same position as yourself?—No. He would be in a much better position than myself. He would have a regular University training, which I had not.

17993. Now I come to the second part of your note, and I want to ask you a few questions upon it. You have spoken of what I may call the quantitative and qualitative difference between a heavy and a light district—the work to be done in heavy and light districts. You have said that the work was the same in quality, but was different in quantity in the two sets of districts—light and heavy. I want to get a little more clear idea than I have got as to what it is which exactly constitutes the difference between these districts. A heavy district is a district in which there is much more work in than in a light district. Would it be correct to say so?—The volume of work would be certainly greater.

17994. The quantity of work would be greater?—Yes.

17995. Would not there be more officers to do it?—Undoubtedly.

17996. There would be more subdivisions in a heavy than in a light district?—Yes.

17997. And there would be correspondingly more subdivisional officers?—Certainly.

17998. But the sense of responsibility for the whole district, that would be heavier in a heavy district than in a light district?—In a certain way.

17999. The feeling of responsibility?—Yes.

18000. The anxiety would be greater for things going right?—In a way, mathematically put.

18001. But with regard to the qualities required, do you think there is much difference?—Not much.

18002. You have pointed out that a District Officer in charge of a heavy district would have more assistance?—Yes.

18003. In times of trouble, for instance, a man at the head of a light district would be confronted with the same kind of difficulties as a man in charge of a heavy district?—Quite likely.

18004. For instance, a collision between Hindus and Muhammadans is quite as likely to occur in a light as in a heavy district? Yes.

18005. Seditious propaganda would give as much trouble in a light as in a heavy district?—Yes.

18006. And the general anxiety which a District Officer has to bear on account of such a state of things would be of the same nature as in a heavy district?—I think so.

18007. Therefore, if an officer does well in a light district in troublous times, if he is able to keep his district quiet, it would be some assumption that he is not altogether deficient in the qualities which are required for the proper discharge of his duties in a heavy district?—It is not exactly my place to say so, but I should say that is the natural assumption. I suppose that would be the inference.

18008. I am asking your opinion?—I am of opinion that that is the inference which should be drawn.

18009. On the other hand, taking English and Indian officers in charge of a district, there would be certain advantages in favour of Indian officers. They would understand the thing better if they belonged to the province and knew the language spoken in the district?—Yes.

18010. They would read the vernacular papers first-hand?—Some may.

18011. The Indian officers would invariably read the vernacular papers?—Yes. Of course all Indians must, and do, as a rule, read the vernaculars first-hand, and some English officers also read them. I know some English officers who do.

18012. That is quite possible, but there may be English officers who do not?—I think that is the general position.

18013. In any case, English officers would not read them so quickly, and they are so overworked?—Yes.

18014. And if translations were available, they would depend upon the translations?—Yes.

18015. They would prefer to do that?—Yes. They would prefer to do that.

18016. An Indian District Officer would understand the people of his district instinctively better and in that respect he would have advantage over an Englishman?—I think so. From that point of view he should have.

18017. You could more quickly see what is at the back of the mind of an Indian, other things being equal?—If they are of the same class of clever man, an Indian ought to understand Indian matters more quickly and more correctly than an Englishman of the same stamp.

18018. During the recent unrest in Eastern Bengal, how many Indian officers were there in charge of districts?—Only three, so far as I know.

18019. So far as you know. I only want what is a matter of common knowledge. Has there been any trouble in any district under an Indian officer, as far as you know? Has there been any outbreak of riots or violence?—As far as I know, out of three officers to whom I have referred, one held charge of a district for a short time only. There was some trouble in a part of a district held by the second officer; and the third was my humble self. I have already said that in the little district I held there was no trouble.

18020. Was the Subdivisional Officer where there was trouble an Indian, do you know?—I should not like to say very much about these things. I am in a responsible position, and I do not wish to say more than I can help.

18021. I want to know the nationality of the man. He would be in the Civil List?—If you ask me that, I think in the subdivision I am thinking of, a European, or probably an Anglo-Indian gentleman, was in charge.

18022. Can it be said in a general way that all heavy districts had trouble, and all the light districts were quiet during those troublous times?—No.

18023 There was trouble in some of the light districts, and no trouble in some of the heavy districts?—There was trouble in the light districts.

18024. It could not be said that the light districts were quiet, because they were light?—No, it cannot be said.

18025. If under Indian Collectors light districts kept quiet, it was not because it was in the nature of a light district that it should be quiet?—No. I do not think that can be argued.

18026. There is another point in your statement about which I should like to ask you a few questions. You have seen the opinion expressed that Indian officers of the Civil Service are inferior to European officers generally, I put it roughly, in point of energy and force of character, and things of that kind. Can you say how far a general proposition like that could be sustained?—That is a very important question from my point of view, and I have raised it to some extent in my note, as you yourself have noticed. Subsequent to my writing my note I have read, and I must confess with some pain, the opinions of very brilliant members of our Service, and in all humility I must say that I cannot say that these inferences,—because I cannot say they are anything more than inferences or opinions—of members of my Service can be sustained. I am decidedly of opinion that there is no ground for coming to such general conclusions as seem to have been arrived at by some of the members of my Service who have given evidence against us.

18027. I have seen the statement that you have been specially successful in breaking up gangs of dacoits. Tell us very briefly what was your work in connection with the breaking up of these gangs of dacoits?—I do know that I have been particularly successful. I have had to do with the suppression of crime, and I have hinted at that in my note. In two or three districts difficult gangs of dacoits had to be dealt with, and I did my humble share in doing that. I believe I was congratulated by the Commissioner for the work I did. You spoke of energy, or rather of our lack of energy. If the Chairman will permit me, I should like to read a letter which I have received from a European gentleman of position. He was in a district in which I had the honour of serving. In his letter he gives his opinion of the relative merits of Indian officers, specially with regard to the question of our energy in dealing with those particular subjects which have been mentioned in the evidence given by some members of my Service.

18028. (*Chairman.*) You desire to put in a letter which you have received from a European civilian officer?—He is not an officer: he is a gentleman of position. He was a Member of Council. He was nominated a Member of Council, and he resides in a district where he has had very great opportunities of judging the qualities of district officers, both European and Indian. He is in a position to give his candid and fair opinion on what he thinks about our relative merits.

18029. What was the occasion upon which he wrote this letter?—The occasion was the very same occasion which is now before us, namely, the remarks and observations which have fallen from various witnesses drawing the conclusion that we are distinctly inferior to the European members of the Service in certain qualities, namely, in general qualities of government, in energy, in powers of initiative and in dealing with different classes.

18030. To whom is this letter which you refer to written?—It is written to me.

18031. (*Mr. Gokhale.*) You have the authority of this gentleman to make use of the letter?—Yes; as a matter of fact, I took the precaution of writing to him the object for which I wanted his opinion.

18032. (*Chairman.*) At present I see no objection to your putting it in?—I should like to mention that I do not think the first part should be read.

18033. (*Mr. Gokhale.*) If it is a short letter, I think you might read it. What is the gentleman's name?—John Hennessey, Esq. There is nothing of a private nature. It is very general and very fair. As a matter of fact, I might explain that under ordinary circumstances I would not condescend to buttress up the position of a member of the Imperial Service by the opinion of any outsider whatever; but as I am in rather an unfortunate position when I find that myself and other Indian members of the Service are practically on our trial, I think that you will permit me to make use of this letter.

18034. Before dealing with the letter, I should like to ask one or two questions about yourself. You were selected, I believe, by Lord Curzon to be in charge of the Press Camp at the Durbar of 1903?—Yes, I was.

18035. It was a special appointment?—Yes. I was in charge of the Press Camp, which was a fairly difficult charge.

18036. Have you done any literary work yourself?—Yes. I have written a book—the biography of my father-in-law, Mr. R. C. Dutt, who was a public man in many ways. As District Officer, I have written a gazetteer of my district. I was also selected by Government to write a report on the industrial capacity of the province, and I wrote the report.

18037. Have you ever held an appointment in the Secretariat?—No; but just now I am in charge of special duty which brings me into contact with Secretariat people.

18038. I notice in going over the names of the Indian members of the Indian Civil Service that the men who come after the three men at the heads of districts are practically all on the judicial side except those who are undergoing their training, or are otherwise very junior in the Service. I see that five men are consecutively on the judicial side. Is that an accident, or what is it? Can you explain it in any way?—I am not in a position to give you a full explanation as to how it is. I have heard complaints from the Indian members. Probably they would prefer to take the judicial first of all as they think that the prospects in the executive are not so brilliant as they used to be.

18039. Now with regard to the letter?—In reply to the charges against Indians that they are wanting in administrative capacity and in energy and that they cannot hold the balance evenly between class and class, Mr. Hennesey says:—

> "On the ground of my 35 years' experience, and also, as you are good enough to state, on the ground that I am trusted by Indians and Anglo-Indians, and, I may add, Government alike, you ask for my candid and honest opinion, and I am very pleased to be able to state honestly and without hesitation that although I have come into contact with nearly all the Indian members of the Indian Civil Service I do not think that these charges can be sustained. With regard to yourself, personally of course, I am not in a position to criticize your work from the point of view of a superior officer, but the work of the district seemed to be going on as well as ever, when you were in charge. Although a young man, I found you singularly willing to discuss matters with men who know the district, and, where necessary, to modify your views and action in deference to more experienced counsel. It was due to your influence and initiation that many improvements were made in the town and English Bazar, and I think I can safely say without fear of contradiction from anyone that you were, without exception, the most energetic Collector we have had in this district during my 35 years.
>
> In discussing this question you must remember that the present Indian members of the Civil Service are men who have shown that they had the courage in spite of embarrassing prejudices to go into a new country and amongst new conditions to live a new life, receive many knocks and rebuffs, and to fight, and to win a great fight. I am against simultaneous examination. In fact, I think it will be generally conceded that the present system of appointment to the Indian Civil Service by competitive examination alone is a mistake. To my mind it is grotesque to assume that the great scholar must, of necessity, be a great administrator and leader of men; in fact, many of the greatest men the world has known could not or would not have passed into the Indian Civil Service at the present time. You can make any use of this letter you like."

18040. This gentleman is in Malda, is he not?—He is a very big zamindar in Malda. He is one of the biggest Anglo-Indian zamindars in this country. He was nominated a Member of Council by Government.

18041. Have you been in Malda yourself?—That was the first district I held.

18042. How long ago was it?—Twelve years ago.

18043. How long have you known Mr. Hennessey?—I have known him for a long time. I have known him off and on.

18044. You were answering a question as to why the men who have got into the Service after you, three men who are at the head of districts, are found on the judicial side. You were answering that, and you were saying that there was a certain impression among the men that they had no prospects on the executive side?—I was saying that it is not possible for me to give a complete answer to that question, because the decision rests with them and the Government. I should not, however, be candid if I did not mention that I have heard that Indian members of my Service are apprehensive that they will be passed over as Commissioners, and that they will not get important districts, so that it is better for them to go into the Judicial.

18045. Is there any European officer junior to you in charge of a heavy district, or are they all in charge of light districts only?—Many officers, I think I might say that almost all the officers who are in charge of the more important districts, are junior to me. May I be permitted to go out of my way and explain one thing? A wrong impression might be created from the answers I have given to your questions or from my note. I do not claim any superiority for myself or any members of my section of the Service over the English members of the Service. All I have maintained and said is that probably we have not fallen short of the general average; and my complaint is not that we have not been given secretariat appointments or any special appointments, *e.g.*, of Chief Secretary, or Inspector-General of Police, but that we have not been given even a chance of showing what we can do in an ordinarily heavy district; and, from the evidence which I have read, no facts have been produced which will justify the pursuit of such a policy. When our critics openly say that that is practically a part of a settled policy, I think it time that the statements which I have made now should be made by some member of my section of the Service.

18046. The early Indian members of the Indian Civil Service rose high on the whole, on the executive side, did they not?—Yes.

18047. And the Public Services Commission of 1886 came to the conclusion that the work of the Indian civilian was on the whole satisfactory?—Yes, I have seen that.

18048. Has anything happened since then to suggest a sudden deterioration in the quality of the Indian Civil Servant: has anything happened to your knowledge?—Not to my knowledge. That is a large question; but as far as I know, of course, accidental circumstances might have arisen by which one member of our Service, or another member of our Service, might have been found fault with.

18049. I must interrupt you. I am referring to the quality, the general calibre of the Indian members of the Indian Civil Service?—The quality depends on his work. The only test of quality, so far as I can see, in his career; and, as far as I know, there is nothing to show that there has been any general deterioration, as I was going to explain.

18050. We have heard a good deal about the Indian Civil Service being somewhat unpopular with English civilians—losing its attraction for English candidates, and so on. Will you tell us how the Indian Civil Service strikes the people of Bengal now as a career for their young men; is it as popular as it was before?—I do not think it is as popular as it was before. That is my opinion from what I have gathered from responsible people, and I do not think it is likely to be popular if such a policy is pursued, namely, that they are considered unfit as a body to hold charge of an important district. When we find officers who are junior to us, and whom I do not admit to be our superiors—I will not emulate the example of other members and call them distinctly inferior to us—in charge of heavy districts while Indians are not to be trusted with important districts as a body, I humbly say that I do not think that the Service will attract the best men from amongst us as it did.

18051. It came out yesterday in reply to a question put by Mr. Bompas that no such policy could be laid down?—I hope not.

18052. (*Mr. Sly.*) Will you tell me how many years you were educated in England?—I was in England about three years altogether.

18053. Have you been to England since?—I have been on furlough once only after I came out.

18054. How long was that furlough?—A very short time; about six months

18055. We have heard a lot about what are called light districts and heavy districts. Do you know at all the principles upon which Government classifies a district as light or heavy?—I know that there are some districts which are called first grade districts whilst others are second grade districts. It depends very much upon whether there is a District Judge and also upon whether the district contains a number of subdivisions.

18056. And would not the difficulties of administration in the district be taken into consideration?—One thing follows from the other.

18057. Not simply size and population, but the difficulties connected with the agrarian situation in the district?—If you mean that there may be some districts which are large in size, and are not considered to be first rate, that is not the case. Every district which is large, which has more subdivisions than in an average district is considered to be a first-rate district; but all first-rate districts are not equally difficult at all times. Circumstances vary, and that, of course, brings about the difficulty in the position.

18058. Are all first-class districts equally large and heavy?—I will say all important or large districts. I am not aware of any official term except, as far as I remember, some districts in which Judges are posted, which are called first-class districts. I speak subject to correction.

18059. You think that whether a Judge is posted to the district or not is a criterion that is taken into consideration by the Government?—I cannot say what criterions Government take.

18060. One question about a particular district. Is Malda a light district?—It is a light district.

18061. About the lightest in Bengal? It is.

18062. You do not know whether Government, in selecting officers for the charge of that district, has taken that fact into consideration or not, I suppose?—I would not be responsible for anything that Government has done.

18063. On the first page of your evidence you have given the admissions of Indians into the Civil Service as 1·4 per cent. since 1853?—Yes.

18064. Do you not think that you have done some injustice to your own community in that respect? What is the percentage at the present time for all India of the number of Indians in the Indian Civil Service?—I think it is about 5 per cent. It is stated in my note.

18065. And in Bengal it is 8 per cent.?—Yes.

18066. And the rate of recruitment of Indians under the existing system in the last 26 years has been about 5½ per cent.?—Probably? it may be.

18067. If we take 10 years it is 5½ per cent., and 20 years it is a bit more?—Yes; it must be.

18068. So that even under the present system the number of admissions of Indians is slightly increasing?—Yes, that is so.

18069. You have fixed, I understand, for present purposes, a maximum of 25 per cent. of Indians?—Yes.

18070. The ratio in Bengal at the present time you give as 23 per cent.?—For the superior posts, not for the Indian Civil Service alone. They are two entirely different propositions.

18071. Will you explain the difference between them? What is the distinction between the two? In your 25 per cent. have you excluded listed posts?—Yes.

18072. In addition to the listed posts the maximum may at present be put at 25 per cent.? I have made it clear, I think.

18073. Can you give us any specific reason why you should select that 25 per cent., why you have fixed it at 25 per cent.?—Because I consider that to be a reasonable limit for Indians under present circumstances.

18074. For the whole of India or Bengal?—The whole of India.

18075. For the whole of India?—Yes; 8 per cent. is for Bengal. You may probably think that I have put it at too low a figure.

18076. Do you think, with your knowledge of the whole of India, that 25 per cent. is a reasonable proportion?—My point of view is probably based on my experience in Bengal. This is only my scheme. If it is ambitious or too much, I leave it to the Commission.

18077. I wanted to get out, if I could, on what basis you fix this 25 per cent.?—On the basis of my experience of this part of the province.

18078. Your 25 per cent. is based on your experience in Bengal, and you wish to apply that to the whole of India?—Yes

18079. If you exclude listed posts as you have done in that 25 per cent., the present European minimum in Bengal would work out, as far as I have worked it out, at about one-third Europeans. You have excluded listed posts from that 25 per cent., have you not?—No.

18080. Your 25 per cent. minimum is in the Indian Civil Service exclusive of listed posts?—The listed posts which I have recommended are not the listed posts which are at present listed posts. As you have probably seen, I have recommended that only very few of those should be kept.

18081. I think, as a matter of fact, you have recommended about 8?—There are at present 11. There is a difference.

18082. Assuming your standard of 8, the European minimum under your proposal, as I make it, works out at about 33⅓ per cent?—I am not able, of course, to say "yes," or "no." I have not worked it out. I have given the figures.

18083. But if it works out to one-third European agency, do you think that that is adequate for Bengal?—Yes.

18084. You think that is adequate for the whole of India?—Quite adequate for the whole of India if it is adequate for Bengal. I should say it is adequate for the whole of India.

18085. The limit of age which you propose is 17 to 19 years?—Yes.

18086. Followed by a three years' course in England?—Yes.

18087. What is that course to consist of?—Any degree that a student might like to choose. Probably the Civil Service Commissioners would be able to advise them what the degree ought to be. I would not limit it to a law degree, or any kind of degree.

18088. Your proposal is that candidates should be allowed for three years to continue their general education at State expense?—Yes.

18089. You do not accept the position that Government should give no support to the general education of the candidate after he has passed the open competitive examination?—For this reason, that I consider general education is the most important part of the education of any person who wants to come out and take a responsible position in the administration of this country. That is my reason for maintaining that position.

18090. But if in England, as at present, we can get men who have completed their general education at the University, why should Government undergo the expense of giving them three years at a University?—To begin with there is a year's training now, a period of probation when Government do pay. There was a time when they used to pay for two years' probation and even for three years; so that there will be precedents for the proposal which I have made. But even if there were none, I would recommend such a policy to be adopted by Government for other and higher reasons, namely, for the satisfaction of the reasonable aspirations of Indians and for the fulfilment of a line of policy which has been laid down a long time ago, and which has not yet been carried out.

18091. The period of probation was a specialized form of education was it not, particularly adapted to India, and not general education?—There was no prohibition to general education, but at the same time study of Indian subjects was a special feature of it.

18092. Your position is, that in order to satisfy Indian aspirations it is desirable that Government should give three years' probation for a general course of education to both Indian and European students?—Who have passed the open competitive examination: a limited number.

18093. You have told us that under simultaneous examinations you do not expect any large number of Indians to prove successful for some years?—Yes.

18094. You have also said that if they do prove successful, and have, under your European minimum, to be refused appointments, you do not think that would cause any embarrassment to Government?—Yes.

18095. And that the Indian community will with equanimity accept the fact that successful students in the open competition shall not receive appointments?—Yes, I have said that.

18096. Look at it from the other point of view. If simultaneous examinations were to be introduced, and it was found that very few Indians indeed, or practically no Indian candidate was successful, do you think that that would create a situation of embarrassment to the Government?—Not in the least, because Government will be able to reply, "We have done everything you wanted; we have not closed the doors of examination in England; you can go on competing in the old way if you want, and you have still got the door open in India, and if you do not succeed it means that you are not fit to succeed." That would be a very ample reply.

18097. Do you think it would lead to an agitation that the examination was conducted on methods unfair to Indians?—I cannot, of course, take upon myself the responsibility of saying what the agitators will do; but if they do so, they will be very unreasonable, and they will not get support, certainly not my support, or the support of any reasonable men.

18098. Do you think it would lead to a movement for a substantial alteration in the syllabus of studies for the examination in order to make it more of an Indian character—so as to give the Indians every chance?—I do not think so. They have always agitated regarding this subject during the past and, as far as I know, although I am not very conversant with the history of the case, they have pressed for simultaneous examinations and not for examinations with a different standard.

18099. The view has already been put before us that the present examination is unfair to Indians, and that certain special oriental subjects should be included in the examination?—Slight modifications might perhaps be useful, and probably might give a better chance to Indians than it does at present. But that is quite different from having two standards, one for Indians, and another for Englishmen.

18100. To come to your proposals with regard to listed posts, I understand you contemplate that as Indians increase in number by the open competitive examination these listed posts may gradually disappear?—No. I have left a margin of 8.

18101. In any case, I take it, that margin of 8 is to be retained?—Yes, 25 per cent. *plus* 8, which brings it to one-third.

18102. There is one other question on which I wish to ask your opinion; and that is, we have had proposals put before us for the abolition of the judicial branch of the Indian Civil Service and for the creation of a separate judicial service directly recruited for that purpose. Can you kindly tell us what your opinion would be in regard to that proposal?—I do not think that I am in a position to support that proposal. I think that the present system is a better one. I think that some training in administrative work would be useful in the discharge of ordinary judicial work by District Judges. At the same time, I would keep room for a certain number of men, who had shown distinction at the Bar—only a limited number.

18103. Do you think that proposal would have a prejudicial effect on the recruitment for the Indian Civil Service, if it were carried out?—Yes, in a certain way. The number of appointments will be considerably less and men with judicial temperament, if I may say so, may think that there is no career for them. In that way, I think it will indirectly affect it.

18104. (*Mr. Macdonald.*) I think you have been stationed in Eastern Bengal?—I was in that province.

18105. From what time?—I think I was there during 1904. That was the time when it was the same province. At that time the partition came in.

18106. You were there until?—Up to the present time. I was there when the Presidency was created.

18107. You were there during the most difficult part of the unrest?—Yes, I was there.

18108. Do you think that, speaking generally, the question as to who was the officer and who was not the officer had much to do with that unrest?—Am I correct in saying that you wish to know whether it was an Indian or an Englishman?

18109. Yes?—I do not think so; that had nothing to do with it.

18110. Am I right in my impression, which I have had for some time, since reading what had taken place, that the political unrest was far deeper than the question as to who was at the head of the administration?—I am afraid that I will not be able to commit myself as to the causes of the political unrest. But there it was; and I certainly think, from my point of view, the fact whether the District Officer was a European or an Indian did not in the least affect as to the actual ebullition of that unrest, taking either the shape of riots, the Hindu-Muhammadan riots, or any other kind of thing that did take place.

18111. You do not attribute much of the trouble in Eastern Bengal in recent years to the absence or the presence of either European officers or Indian officers?—No. I do not at all.

18112. You have had experience of the Provincial Service, have you not?—Yes. I have had to deal with the members of the Provincial Service.

18113. One of your duties has been, has it not, to nominate candidates for that service?—Yes. We have to meet the Commissioner and send up names to him first of all.

18114. You have, first of all, to send up names?—Yes, to the Commissioner.

18115. Might I ask you if that is a pleasant sort of job? Do you like it? Does it give rise to personal difficulties which you would prefer to avoid?—We have to do many duties which are not very pleasant. It is invidious sometimes, but as a rule, we try to send up the best names we can.

18116. It is invidious?—Yes; it is invidious to some extent.

18117. Can you give the Commission any idea of the kind of influences that are sometimes brought to bear upon you in making these nominations?—The usual kind of influences, from friends or relations of the person who seeks nomination and also various claims to Government recognition. They are innumerable. For some days before nomination you get innumerable letters and you have to see numerous people. Of course, it is a part of our duty to find out if there is anything in those letters.

18118. Is it a bit of work, do you think, that is advantageous to the Service?—In my opinion, as I have said in my written notes, the better form is to have open competition, as it used to be, reserving a certain number for Government nomination. That is the form of recruitment that I would personally like to have for the Service. In my opinion the members of the Provincial Service who entered through the gates of open competition are very much better and more capable men than those who now enter the Service.

18119. So far as you can express an opinion, from your own experience, could you guide us in making up our minds on the matter? Would you say that the continuance of the system of nomination is a good system or a bad system from the point of view of the Collector?—My candid opinion is that it has both drawbacks and some advantages. If I may explain myself, one of the drawbacks is that it entails a lot of invidious work and the probable advantage is that the Collector has some sort of hold on his district, and he is able to recommend sons and relations of people who have been useful to the Government and who have probably done some sort of service for which some recognition on the part of the Government is necessary.

18120. As a matter of fact, it is intended, in other words, as a reward for political services?—I would not place it as political services, but services for the good of the State.

18121. That is what I mean by that?—If you mean that, it is all right.

18122. If you have a Commissioner who thinks that one kind of service is good, he will reward that service if he thinks fit to do so; and the same service may be regarded as bad by a more enlightened Collector?—Those are matters of opinion.

18123. These are matters of opinion which come in when you are exercising patronage?—Yes.

18124. Would you say that the recruitment for the Provincial Service now attracts the best talent available in Bengal?—It may attract the best talent; but the best talent does not get in—does not succeed. It is not always the most capable men that we recommend.

18125. You mean that the best talent might like to get in, but the best talent cannot get in under the present circumstances?—That is what I mean.

18126. So, you do not agree, that it secures the best talent now?—No. I do not think.

18127. Have any Indian members of the Indian Civil Service been appointed to the High Court?—I am very glad to say that was done quite recently.

18128. The statement that no member has been appointed to the High Court is not quite accurate?—No, at the present time, I am very glad to say.

18129. But until quite recently it was quite accurate?—It was accurate in the sense that nobody was confirmed. I withdraw my statement, because the present appointment is not a permanent one.

18130. It is not a permanent appointment?—It is an acting appointment; so, I withdraw my statement.

18131. So, it is an accurate statement that no Indian Member of the Indian Civil Service has been appointed to the High Court?—Has been confirmed as a Judge of the High Court.

18132. Has that been a subject of consideration by your fellow members of the Indian Civil Service? Have you observed and reflected on it?—I do not think we have done badly in the "Judicial"; I do not think that has given rise to much complaint. There was only one instance in which an officer reached the required seniority; and he rose to the position of Legal Remembrancer which we consider as very important.

18133. Who is that?—Mr. B. L. Gupta, if I am permitted to mention his name.

18134. He also acted as a Judge?—As a High Court Judge two or three times.

18135. That is the case you referred to in your replies?—Yes. There is nobody who has reached that seniority, so that that question does not arise.

18136. May I ask you generally; is it felt by the Indian members of the Indian Civil Service (the judicial members) that they have not had fair play?—Judicial members only and not executive?

18137. Just limit yourself to the judicial members of the Indian Civil Service. Is it felt by them that they have not had fair play in the High Court appointment?—I do not think that there is any such feeling.

18138. No such feeling?—No.

18139. (*Mr. Madge.*) You think that the experience that an Indian civilian secures in the early years of his career is of importance to him later in life, whether he continues in the executive or goes to the judicial?—Yes, I think so.

18140. Suppose the bifurcation took place at a period earlier than you may think advisable, how would you propose to make up that loss of experience which, you admit, is valuable, even in the judicial career?—If I may be permitted to ask, what is the period of bifurcation which was suggested. Would it be 5 or 8 years?

18141. Various periods have been suggested; some were for 2 and some would go as far as 8 or 9 years?—I would not be in favour of bifurcation before 6 years at the earliest. I would favour the period being extended to 8 years.

18142. Suppose it takes place at an earlier period, how would you compensate for the loss of the experience which might have been gained, had it been continued?—That is not a scheme which I support. I cannot think, at the present moment, what can be done. If he is made to act as a Munsif or as a Subordinate Judge it is not the same thing as having any experience of the executive side of the Administration. It would not make up for the loss of experience in the general line which, I think, is necessary.

18143. To my mind there is a certain loss apparent, and I wanted to know how you would meet it?—I cannot suggest any way by which that can be made good.

18144. You have referred to a theoretical bias on the part of a Magistrate in favour of convictions—the bias of the District Officer. Can you mention cases?—Did you say I said so in my notes.

18145. In the course of your evidence, you referred to it?—I beg your pardon. I did not say that. What I meant was that he should not be placed in such a position where such an inference could be drawn.

18146. I mean that you referred to a theoretical position?—Yes. Theoretically it is quite possible. Suppose a very important case is going on which deals directly with administration. The Collector, as the head of the district, has, to do his duty, to take a personal interest, not in the success of the conviction or otherwise, but to see that it is properly conducted. But, at the same time, he is also the superior of the Magistrate who tries the case, and it places him in an awkward and invidious position.

18147. So far as that position is concerned, that would refer to all District Magistrates?—Yes.

18148. You do not think that chance is counteracted by the fact that most of the criminal work is delegated to Joints and other Magistrates—the actual trial of the cases?—Yes.

18149. You do not think that any bias that exists is not counteracted by that fact?—No, it is not counteracted. To a great extent it ought to be counteracted, not completely, but to a great extent. If the Joint Magistrate or the Additional Magistrate, whoever it may be who is in charge of the criminal work, does, according to his view, what a Magistrate should do, and if the Subordinate Magistrate does not take any opinions from them, that bias is counteracted, to a great extent.

18150. You have referred to one-fourth of the appointments being made over to Indians. Do you think that, if a time came, when a larger number had the right to be appointed, either by passing successfully the examination or for any other reason, there would not be dissatisfaction or discontent in withdrawing the concession which has once been made?—Am I right in following that what you mean is that the time may come when Indians may ask for more?

18151. Yes?—That time is bound to come and I hope it will come; but it is in the distant future. We cannot bind ourselves as to what may happen in future years. What we should do for the present is what I have considered in my note, but what should be done in the future, it is difficult to say.

18152. I am sorry that reference has been made anywhere to the abstract question of superiority or inferiority of one class of officers over another. The question is, I think, with reference to a particular class of work, required of men; and rightly or wrongly, the Englishman is supposed to have, as regards colonization and administrative capacity, certain characteristics that are not common even in Europe, as we may judge from the history of the Portuguese, the French, and other colonies. You think that the claim made on behalf of Englishmen as regards the European races, is not correct?—It is quite correct, but that does not affect what I said. If that was not correct, I should not have said that three-fourths of the appointments should be held by them. Most of us do think it is correct; but we think that the time has come when some portion of the appointments might be delegated to Indians with considerable ease and without fear of the efficiency of Administration being lowered.

18153. In recognition of the growing political sentiment as to the right of Indians to have some share in the Government of the country?—Also in recognition of the very good work which they have done whenever placed in positions of responsibility—not merely from sentimental and theoretical reasons, but by virtue of their having proved successful in more than an average number of cases when actually placed in such positions. That is placing the argument on a different footing.

18154. I will put to you this argument: that the Government of this country is bound to consider the interests of all classes—the great masses, who are voiceless and the comparatively small, however worthy a class, who are making claims?—Yes.

18155. The claims of the educated classes—do they run entirely parallel to what you think, as a Government officer, should be the claims or the interests of the masses? Are the interests of all classes the same?—If they have any claims to be called educated, then to a very great extent they run parallel. There are different classes of agitators and different classes of men who call themselves educated; but I do not consider that any Indian has the right to be called educated and has the right to dabble in these matters who, in talking of himself, does not talk of the people of all classes. I know it is said, and very often said, that it is all very well for the educated classes to claim certain things, but the people do not want them. But I do not belong to this school of opinion.

18156. Do I understand you rightly that district work differs rather in degree than in kind, no matter what the size of the district may be?—That is one way of putting it. I have fully explained my position in the answers which I have already given. In quality the work is almost the same; but occasions may arise when a small district might give more trouble and real anxiety to a district officer than even a larger district. But ordinarily in a larger district, there is, of course, more responsibility, and it demands more work than a small district. But as Mr. Gokhale pointed out, a larger district is sufficiently manned, and the District Magistrate has more assistants than the District Magistrate of a small district.

18157. I am not referring to the mere bulk of the work that can be supplied by officers. I am referring to the character of the work in respect of the dangers that may arise. Do you or do you not think that often differences exist in the kind of work that is done?—There is no difference at all as far as the kind of work is concerned. As I have explained, occasions may arise, and do arise, when the same kind of problems, difficult problems, as face the district officer of a large district face the district officer of a small one. I cannot conceive of any kind of trouble which can arise or does arise in a large district which does not or cannot arise in a small district.

18158. Do you not think that one reasonable inference—whether it is right or wrong—might be drawn from what you say, that there may be a good deal of trouble all over the country that has not been detected?—I do not quite follow that, unless it is to be supposed that there has never been any trouble in small districts. I have said that there has been a good deal of trouble in small districts also.

18159. I am not comparing one district with another, but I am referring to a possible danger and the difficulty of keeping that danger under control. If, as I think you say, there is no difference in kind, but only in degree, then it will be one inference from what you have said that the trouble has not been detected in some districts and if so, the fact that it has not been detected, does not show that it does not exist there, because the work of all districts is the same?—I do not follow that argument, that it has not been detected, or found to exist. It is not potential or something which cannot be seen. I say that circumstances might arise which may bring about trouble of the same kind in a smaller district as in a larger district.

18160. Trouble surely arises in one district or another?—According to peculiar circumstances of each district.

18161. According to the conditions prevailing there?—Yes; that is what I say. The conditions prevailing in all districts are the same.

18162. And the trouble does not arise everywhere?—Not everywhere, in smaller districts or in bigger districts.

18163. I have not succeeded in making my point clear. You have referred to an opinion that Indian officers, not your own case but others, have no chance of getting a heavy district?—Have no chance or had no chance probably?

18164. "Have no chance?" To what do you attribute that?—I am not in a position to say that. I am only stating a fact that they have not been given any chance. I am told that is attributable to the fact that they are not fit for it; but that is a position which I cannot accept and which, as I said, I repudiate.

18165. Just one last question. You say "regarding clash of sectarian and communal interests, can it be true that all the English district officers were able to maintain a more impartial attitude and to hold the balance even between different classes more successfully than was found possible in the case of the Indian district officers." Do you or do you not think that certain conditions do arise when a foreigner has more detachment from local prejudices which may be quite unconscious prejudices, than an Indian? I am not making any moral reflection on the Indian. But do you not think that a foreigner may be more detached than an Indian?—I do not think I will attach any importance to that theoretical principle. As a matter of fact, as I have said, a member of the Indian Civil Service has no caste and has no prejudices; and, as far as I know, this is a correct statement. In practice he has not shown any of these prejudices and has not met with any exceptional difficulties, more than any of his European brother officers.

18166. May you not be making a large assumption when you say that every official has been taking your ideals of duty?—I have not said every official. I said as a rule.

18167. Most officials have accepted your ideals?—Yes, the members of the Indian Civil Service.

18168. (*Mr. Abdur Rahim.*) With regard to your scheme, I put this case to you. Suppose 32 are to be recruited for the Indian Civil Service under your scheme of examination and of the first 28, 20 were Europeans and 8 were Hindus. Do you follow me?—Yes.

18169. Then there are 4 left. The next 2 are Muhammadans; you see?—I see.

18170. Then there are 4 more Englishmen. Under your scheme you will accept the first 28, as it consists of 20 Europeans and 8 Hindus, leaving out the 2 Muhammadans that come afterwards, you will accept the 4 Englishmen? That will be the result?—If Muhammadans are the persons who are to be excluded by virtue of the fact that there is a limit, would I make any concession in favour of that fact?

18171. Your scheme, if accepted, would have that result?—It will never have that result for a long time to come, because for a long time we shall not reach that 25 per cent., and so we need not take that fact into consideration.

18172. I thought that you provided in that scheme that one-fourth may be Indians?—That is the limit.

18173. But supposing that is the result?—I have said very clearly that I do not expect that for some time to come we will reach that limit, so that either a Muhammadan or a Hindu who has come within the list will be chucked out, simply because of the 25 per cent. limit that I have suggested. That is my view. But if the limit were reached and if the Muhammadan was the unfortunate person who could not get in because of the limit, we shall have to accept the situation.

18174. Suppose the same unfortunate result were repeated year after year, do you not think that it would produce a bad impression on the Muhammadan community?—I will not say it will be unfair; but it would be unfortunate.

18175. Would not they think so?—I don't think they will. The fact is that the Muhammadans are now taking high places and they are beating the Hindus hollow, and I am very glad of that.

18176. The state of things I have suggested might happen under your scheme?—Judging from the actual facts, I do not think it can be so.

18177. Very well. Suppose, instead of Muhammadans, they are candidates from the Punjab?—In other words, you wish to have communistic or differential treatment?

18178. Your scheme will give rise to a great deal of difficulties—it is a sort of combined competitive examination and partial selection?—It is only competition and nothing else.

18179. So far as Europeans are concerned, it is not purely competition; there is also selection?—No limit.

18180. If you are going to have selection as a test?—It will have no practical bearing.

18181. You would not have any minimum qualification under your scheme?—I would not have any differential treatment, either in examination or in the system of recruitment; it must be open and must be equal

18182. So it is possible that some Englishmen may be picked out who received much lower marks than the last Indian who succeeded before him?—I do not quite follow the question.

18183. If you will have no minimum qualification, then you may have to pick out a European who obtained much lower marks than the Indian, whom you would exclude?—Will you kindly put it exactly? I do not quite follow the meaning of your question. I say that there should be only one list.

18184. If there are more than 8 Indians amongst the first 32 that are to be selected?—What is the number of vacancies?

18185. Thirty-two. If 32 are to be selected and amongst the first 32 there are not 24 Europeans?—Let there not be.

18186 Then you will have to pass over Indians?—Where are your Indians? They are not in the list. If they are not in the list, you do not pass them over.

18187. Among the 24 or 32 there may be Indians?—Let them be. Will you please explain the question?

18188. There are 32 vacancies and you want 24 Europeans?—I do not want 24 Europeans. I say that not more than one-fourth of them, *i.e.*, 8, will be Indians.

18189. You will have at least 24 Europeans?—Yes. You may put it that way.

18190 If, amongst the first 32, you do not have 24 Europeans, in order to fill up that number, you will have to go down below?—Below 24.

18191. Yes, below 24. You may have to pass over a number of Indians in order to get Europeans to make up that number?—That is the same position which you suggested before, *viz.*, that Indians who may get more marks than Englishmen may have to be kept out, because I have suggested a limit.

18192. I am putting it from a different point of view?—What is the different point of view?

18193. What I mean is this, you may have to select Europeans who may not have shown sufficient qualification?—I still confess that I do not see that, because the whole test in the competitive examination is that he comes within the list. There is no minimum of marks; so long as he satisfies that he is within the list, it is all right.

18194. You said to Mr. Macdonald that it makes no difference in a district, so far as the unrest or trouble is concerned, whether an officer at the head of it is an Indian or a European?—I said that.

18195. Do you not think that an Indian officer at the head of a district ought to be able, if he is a man of the right sort, to prevent trouble, ought to be in a better position to prevent trouble than a European: he ought to be in closer touch with the people and ought to understand the people better?—He may be able to understand and take some steps in time probably, and he may take note of the facts which may escape the notice of Europeans. I will put it at that. But as to preventing or as to grasping the situation when it does actually arise, I will not say one way or the other. It will depend entirely on the merits of the officer who is there.

18196. Take the question of unrest. Do you not think that the personality of the District Officer can exercise a great deal of influence over the situation?—A great deal

18197. I take it that, if there is an Indian officer at the head, and, as I said, if he is an officer of the right sort, he ought to be able to exercise considerable influence in minimizing the unrest or to put it down?—To the extent of understanding the situation. But an Englishman, if he is of the right stamp and does the right thing, will also wield the same amount of influence. As a matter of fact, my countrymen will receive kindness with more gratefulness from a European than from an Indian. I do not think that there is much to choose between a European and an Indian district officer, if they are both of the right stamp.

18198. Your position is that an Indian, as a matter of fact, is not in a better position to prevent trouble than an Englishman?—He is in the same position. I do not say he is in a better position or is in a worse position. It all depends upon the man.

18199. In exercising the power of selection by District Collector or Commissioner, do you think that he is able to satisfy himself that, among the number of applicants, the man whom he chooses is, on the whole, better qualified to fill the place for which he is selected?—You mean in selecting the members of the Provincial Service?

18200. Yes?—I have set forth my views in detail. From the point of view of intellect or capacity, the present method of appointment or recruitment is not the best in my opinion. We do not get the very best men who are available.

18201. I understand that you receive a number of applications together with testimonials and you make certain enquiries. Do you not, from those enquiries, find that you are in a position to say, with regard to a particular candidate, he is more fitted for the post for which he is required than another?—I quite understand what you mean. There are so many difficulties in the matter. For instance, testimonials are given by men who do not know much about the man, at any rate as well as they ought to. There are many other pitfalls.

18202. I am asking you with regard to your own experience. Is it your answer that you do not find, when you are asked by the Government to make a selection, a fairly large number of candidates to select from?—I have always sent up the names of more men than were wanted, and I give my reasons for the selection I make.

18203. Do you think it was too much responsibility that you were asked to exercise, when you were asked to select the men?—I do not say that anything is too much responsibility if the Government ask me to do it.

18204. I am asking your personal opinion. You have exercised the power of selection. Did you not find, speaking for yourself, that you were able to exercise that power to your satisfaction?—No. I was not.

18205. And you do not think that the Government or the high officials in the Government ought to have any discretion in selecting their officers?—They should have.

18206. You do not think they ought to have?—I think they should have to a limited extent; there should be discretion as to the nomination; and there should also be competition. Certain posts should be reserved for the discretion of the Commissioner and the Collector, necessarily.

18207. You cannot have both at the same time?—You can certainly. Begging your pardon, I do not see why there should not be.

18208. Competition as well as discretion in making the selection?—Not in making the selection, but in recruiting for the appointments. That is a clear position.

18209. So far as you have competition as a test, there is no question of discretion or selection?—Certainly not; but so far as the filling up of certain appointments is concerned, we might have 4 for competition and 4 under the system which you are advocating.

18210. I ask again for your opinion on the general question whether you think that the Government ought to have any discretion in making the selection of officers?—The Government should have full discretion. There should be nobody else to have the discretion, but the Government.

18211. Have you ever acted as a Judge?—For ten days.

18212. So, your experience is very limited in regard to the judicial requirements?—Very limited; but I come in contact with the District Judge every day. My work as District Magistrate is intimately connected with a part of the Judge's work.

18213. When you say that the bifurcation of service ought to be postponed till eight years, I suppose you are speaking more or less from the executive point of view?—I am speaking from the point of view, the only point of view that should be considered in this matter. It may be that I am biassed.

18214. You are likely to regard the question more from the executive point of view than from the judicial point of view. You have had no judicial experience?—That is how you take it.

18215. Am I right in saying that?—I do not quite follow the point of that. I have said that a certain amount of experience in the general line affords a good training for any official whether he chooses the judicial or the executive side. Although I have not exercised the powers of a Judge, I have so much knowledge of the system of administration in the district that I think I am entitled to pass an opinion on the matter. My opinion is only my opinion.

18216. Am I right in supposing that in your opinion there ought to be no separation of the judicial and executive functions so far as the District Magistrate is concerned?—That is another question that you are asking me now.

18217. I thought you said that to Mr. Macdonald?—About the separation of executive and judicial functions?

18218. Yes?—The answer I gave to him was limited to the principle involved in the question, but I said that I would not commit myself on that important question, because I had not considered it in very great detail. On the one hand, the Magistrate would like to be relieved from the awkward position of being both the prosecutor, and to some extent the Judge in the same case, but, on the other hand, we should guard against his authority in the district being undermined, by his being given those powers which are necessary for maintaining the peace of the district.

18219. You say that the best talent of the country is not attracted to the Provincial Service. Do you know not that, at the present moment, there are in the Provincial Service a number of men who have taken the very highest places in the University examination—B. A. and M. A.?—Yes, certainly. There are such men.

18220. There are some B. A.'s and M. A.'s who have taken the first place?—I have said that there are such men. But my position is that there are other men who are equally good, but who have not got in; whereas men who are not equally qualified have got in.

18221. (*Sir Murray Hammick.*) As I understand it, your scheme for the simultaneous examinations necessitates the reduction of age of the English candidates from 17 to 19?—Yes.

18222. Of course there is a very large body of opinion which is very much against reducing the age of the candidate who goes up for the open competitive examination in England, for many reasons, of which you are no doubt aware: his education is not complete at that age; he is a mere school boy, and it is difficult for him to make his selection at that time for the competitive examination satisfactorily?—Yes.

18223. Have you thought whether your scheme would answer with older boys, or do you think that your scheme necessitates the age being 17 or 18? I should suppose, on reading your note, what influenced you a good deal in fixing that age, instead of the age which is at present fixed, is the fact that you would like to send to England those boys who intended to complete their education for at least three years?—That is my opinion.

18224. If you made the age older, would you get over the difficulty in any way?—I prefer the age to be lower for this reason: that any education imparted at a riper or maturer age does not produce the same impression as education imparted as an early age. The age for entering the University is about 18 or 19. I may also say that the great objection to the lowering of the age even for the English candidates is based on the supposition that they are deprived of the University training, etc., thereby, but if you provide for the University training, I think that a good deal of the opposition may probably be withdrawn.

18225. Do you not think that another objection to your scheme is that this will encourage a great deal of premature book work and brain work in your Indian candidates who have this examination in front of them at 17 years of age?—Yes, it may have that effect to some extent. That is the unfortunate thing about all competitive examinations, I think.

18226. For instance, all the universities in India have dropped the examination for the Matriculation, for the very reason that it is an exceedingly bad thing for the youths of this country to have a heavy examination in front of them at the age 15, 16, or 17. That is what brought about the ending of the Matriculation examination. Do you not think that it is a serious blot on your scheme?—There are competitive examinations in this country, open examinations even at the age of 16. The Matriculation is an open examination, for which boys have to go up at about the age of 16. What they did was that they did away with the examinations which came before Matriculation, viz., the Minor English Scholarship examination and the Upper Primary examination. But, as far as the Entrance or the Matriculation examination is concerned, there is a public examination, even under the present University scheme. But, at the same time, I fully realize the strain on a young fellow, who is hardly 15 or 14, to think of an examination which would come after three or four years. But the strain will be the same on everybody and I think that the standard of the examination will probably not be so high.

18227. Do you look forward to a large number of candidates going up for this examination?—There will be a very fair number; and the numbers will gradually increase. But, as I have said, success will be very difficult for some time to come.

18228. You will only hold this examination at one place in India?—Yes.

18229. Now, as regards the Provincial Service, Mr. Macdonald put to you various objections to patronage, which we all admit is an objectionable part of a Civil Servant's work in a district. What I would ask you is, do you think that it is possible to recruit the Provincial Service at present by competition alone?—I would not advocate competition alone. As I have said, I would like to reserve some appointments—probably half—for Government and for high officers like the Commissioners, etc., and the other half for competition.

18230. For what classes would you reserve this moiety of appointments; what classes have you in view?—For appointments by selection you mean?

18231. Yes?—For the classes of men who are now being appointed. We have a minimum, as it were, of qualifications which they must come up to, viz., they must be graduates of a University and they must satisfy other tests also. They must be well connected, and preference is given to those whose relations are, or were in Government services. We should keep the rules, as they stand now; but at the same time we would throw open half the appointments to that form of recruitment which has been successful in the case of my own Service.

18232. What I want to know is, what classes are you going to put in by selection. Is it, for instance, Muhammadans or men of property, or is it Christians or Eurasians?—It is just to consider the claims of all these people that I want to reserve some appointments for nomination. The Government and the officer at the head of the district and the Commissioner will know best who should be appointed by this means. They will know how many of the four successful competitionwallahs are Hindus and how many belong to other communities. If there be 3 Hindus among them, they will take that fact into consideration in making the appointment by selection and they might appoint two Muhammadans or two others for considerations which cannot be satisfied by the open competitive examination, but yet which should be satisfied.

18233. But do you think that it would be impossible to have a system of examination for the Provincial Civil Service, under which you would notify before the selection took place, that so many appointments were to be given to Hindus and so many appointments were to be given to Muhammadans, so many to Indian Christians, so many to Eurasians and so many to other Hindus than Brahmans? You would then take your list after the examination and give the first so many appointments to Hindus, then select the requisite number of Muhammadans and the members of other sections?—That might work. There may be a scheme like that; but it will be a very difficult thing to work it in detail. But it is theoretically possible, and it will satisfy the very object which I have in view.

18234. At all events, you are not prepared at present to throw open the whole Provincial Service to competition?—No.

18235. (*Mr Bompas.*) It was suggested that it happens, not infrequently, in Bengal, that a Magistrate is vested with first-class powers, not because he is fit to exercise those powers, but because a first-class Magistrate is wanted in a district. Is it a fact that a Magistrate has to exercise second-class powers for a certain time before he is invested with first-class powers?—Yes.

18236. Before he is invested with those powers not only the Magistrate, but also the Judge, has to certify that he is fit?—Yes.

18237. The result of his work, as tested by appeals, has to be sent up to the Government? Yes.

18238. As regards the appointment of Indian members of the Indian Civil Service to the High Court Bench, do you know whether, as a matter of fact, the decision as to whether an officer should be appointed to the High Court or not, rests with the Judges of the High Court or with the Local Government?—I do not know for certain; but I believe both have some voice in the matter.

18239. (*Mr. Mukherji.*) Regarding the Provincial Civil Service to which you have just referred, do you not think that there is a certain amount of dissatisfaction in the minds of the educated young men that a certain number of appointments are not thrown open to competition, but that one has to go round, or his friends have to go round, to create an interest for him to enter by nomination?—I have said that I am in favour of throwing open a certain number of appointments by competition.

18240. And you think that there is a certain amount of dissatisfaction?—Yes.

18241. Because it is not so thrown open?—I think so.

18242. Do you not think that the public would have greater confidence in men who came in by competition?—That would be the case.

18243. (*Mr. Sen.*) You say in your printed memorandum that the bulk of the work of the Civil Administration, and perhaps some of the most difficult part of the work, is done by the members of the Provincial Service, executive and judicial. Amongst them are men who, in some respects, are quite as capable as members of your own Service. Therefore you say that everything that is possible should be done to encourage this Service?—Yes.

18244. You, therefore, recommend that some at least of the present listed posts should be kept open for the members of the Provincial Service, but still you say that the officers should be made to realize that they have no sort of claim to these posts which will only be given to officers of exceptional merit. Why do you say that the Service has no sort of claim?—That is, if the scheme for simultaneous examinations, in the limited form, which I have advocated, comes into force. Then you will agree with me that there will be an opening for the most talented young men of India to enter the Service through that examination; and there would be no excuse for their not getting into the higher Service. The men who fail to do so and have therefore to enter the Subordinate Service, so far as they are concerned, you cannot say that there is any hardship, if we say to them—"You have no claim to these higher appointments which are meant for a Service to enter which you had equal chances and facilities with other people."

18245. Would that be an incentive to good and meritorious work on the part of the members of the Provincial Service?—Yes. But as a matter of fact, I have recommended that some of these appointments should be given to them in any case.

18246. Even if your scheme is accepted?—Even if my scheme is accepted, I recommend that these posts should be given to them, but if my scheme is not accepted, much more so will they get these appointments.

18247. The Statute of 1870 provides:—

"Be it enacted that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other Law in force in India, shall restrain the authority in India by whom appointments are or may be made to offices, places, and employments in the Civil Service of Her Majesty in India from appointing any Native in India to any such office, place or employment, although such Native shall not have been admitted to the said Civil Service in India in manner in section 32 of the first mentioned Act * * * * *." ?—I quite see see that. It is because of that reason that I am recommending some of the superior posts to be given to the Provincial Service men. If the Government had not the power under the Statute to appoint the members of the Provincial Service to those posts, that recommendation would have been futile and would have been *ultra vires*.

18248. Then you say that there is room for improvement about the appointment of Provincial Civil Service officers to listed posts. That is to say, those officers who are promoted to higher appointments too late in life find some difficulty in adapting themselves to their change in position, and you recommend that a practical solution of the difficulty may be devised?—Yes.

18249. Well suppose it is devised and that Provincial Service officers promoted to listed posts prove themselves to be quite capable as members of your own Service, would you still say that they should not have any claim to listed posts?—I would still maintain that they have no claims to them, for the reasons I have already explained, though, as a matter of fact, I would give them those posts.

18250. But you would not increase the number of listed posts as, in your opinion, it would tend to lower the efficiency of the Service?—I would not go so far into the future. It will all depend, however, on how the state of recruitment for the Indian Civil Service is. If, as a matter of fact, the 25 per cent. limit is not reached, I will certainly recommend that the members of your Service should get more than 8 posts.

18251. You said that training in England was essential and necessary?—Absolutely essential and necessary.

18252. Are you not aware that in Native States there have been capable and successful administrators who had never been in England?—There are exceptions to every rule. You are a most distinguished officer. But that is the rule which I am suggesting.

(The witness withdrew.)

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Written answers relating to the Indian Civil Service.

18253 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—In my opinion the present system of recruitment is unsatisfactory. I accept the principle of competition as the only feasible method of recruitment under existing conditions.

18254 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—It is unsatisfactory in respect of the following principal matters:—(*a*) It imposes a heavy handicap on the "Native of India" leading to his practical exclusion. (*b*) It is not suitable for the recruitments in the Judicial branch of the Civil Service. (*c*) It puts into posts where expert knowledge is necessary, such as the head of the Agricultural Department, men without special training. The alterations that I would suggest appear in my answers to subsequent questions.

18255 (3). Is the system equally suitable for the admission of "Natives of India" and of ther natural-born subjects of His Majesty? If not, what alteration do you recommend?—The ystem is not equally suitable.

18256 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—Natural-born subjects of His Majesty belonging to the Colonies should not be allowed to compete.

18257 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I desire to restrict the open competitive examination to the Indian Civil Service only: firstly, it would give us youths who feel a special call to come out to India; secondly, it would exclude Colonials who exclude us, and, thirdly, a combined system necessitates the introduction of subjects of study which may be excluded from the syllabus of the Indian Civil Service without any detriment to its special needs.

18258 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—Except as regards judicial appointments, I think under all the circumstances the present system of recruitment by competition is the best.

18259 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—In my opinion, there should be a simultaneous examination in England and in some centre in India open to Natives of India and to British-born subjects of His Majesty.

18260 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—No.

18261 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am strongly against reserving a certain number of appointments for the "Natives of India"; such a system would brand the men coming under it with a distinctive mark; these would be looked down upon as belonging to an inferior set, just as the members of the Statutory Civil Service were; the system would have a demoralizing effect upon the whole Service, and it would take away from the youth of the country the stimulus and inspiration of competing with the best products of English public schools and Universities on equal terms

18262 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method?—I am against any system of preference as demoralizing, and inconsistent with self-respect.

18263 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—The right of the Native of India to appointments in England is so very theoretical in character that the question may be kept out of consideration.

18264 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The present system of promoting to listed posts officers of the Provincial Civil Services has not been satisfactory. The promotion, specially in cases of Judicial officers, comes too late to be of any real value, and a member of the Judicial branch of the Provincial Civil Service is sometimes not confirmed as a District and Sessions Judge until after his period of retirement has commenced and he is under extension. Moreover, the training and habits acquired during a life spent in a Service which is regarded as inferior, hamper the promoted officers in the discharge of their new duties, and in this respect the men of the old Statutory Service had a distinct advantage. I am suggesting, in answer to the next question, a system of separate recruitment for the Judicial Service, which will deal with the question of the listed posts in that Service. As regards the Executive appointments, I am of opinion that the best method of offering listed appointments to members of the Subordinate Service would be to select specially promising officers when they are in the lower grades of the Service and are comparatively young, and let them begin as Assistant Magistrates, being promoted in course of time to higher appointments in the Executive branch.

18265 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—Yes. I recommend a separate method of recruitment for the Judicial branch; whatever claim may be put forward as to the greater aptitude of English youths for executive work it has been conceded that, in judicial work, Natives of India are in no way inferior to their European colleagues. Under the present system, a young Joint-Magistrate is often promoted to a Judgeship, and disposes of appeals from the judgments of Munsifs and Subordinate Judges who are men of long experience in their line of work, and possess greater knowledge of law than the Appellate Court. Again, in criminal work the officiating Judge has often to decide appeals against orders of the District Magistrate, under whom he may have been serving a short while ago. The members of the Civil Service who take to the Judicial branch have very few prize appointments, and as the discharge of judicial duties entails a great amount of hard intellectual labour unrelieved by outdoor work and compels the study of law, it is generally unpopular in the Service. Moreover, a Judge ill-equipped in law is at a considerable disadvantage in the face of a well-trained Bar,—a circumstance greatly detrimental to judicial work. I would therefore strongly recommend that there should be a separate recruitment for the Judicial Service. This recruitment should be made by open competitive examinations, simultaneously held in London and in some centre in India. The study of law should be a prominent feature of the syllabus, and the maximum age of candidates should be raised to 24 or 25 in order to enable members of the Bar, both here and in England, as well as enrolled Vakils and Solicitors and holders of law degrees of British and Indian Universities, to compete. After selection, the candidates should be attached to some law courts as assistants to Government Advocates for a period of one year. I should prefer a training in the High Court. The acquisition of some knowledge of the vernaculars, in the case of English youths, during the period of probation should be insisted upon. After the probationary period the men thus recruited should be set to do both criminal and civil work, in the latter case beginning with the work at present discharged by the Munsifs, and they may be styled Assistant Judges, gradually rising to Additional Judgeships and Judgeships; members of the Provincial Judicial Service may, when they are still serving as Munsifs or third grade Subordinate Judges, be taken into this branch by selection, affording to them an opportunity which under the present arrangement they have, at a later period, of being posted to listed appointments.

18266 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I would exclude from the definition of the terms "Natives of India" persons of unmixed European descent.

18267 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I would fix the age-limit at 20 to 22. The age should be such as to attract young men who have either completed a University course or are in an intermediate stage of education.

18268 (18). What is the most suitable age at which junior Civilians should arrive in India?—The age at which junior Civilians should arrive in India should be between 23 and 25.

18269 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? (ii) Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—For Natives of India I would recommend the age-limit as 21 to 23; generally the age-limit of the pure Native of India should be enhanced by one year, in order to compensate him for the difficulty he has to contend with in being examined through the vehicle of the English language.

18270 (20). On what principle should the subjects of the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee.

18271 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I think that for Natives of India two additional subjects should be introduced, namely, Pali and Persian, which should be treated in the same way as German and French; Sanskrit and Arabic should have the same position as regards marks as Greek and Latin. The mere fact of a Native of India having to pass an examination in a foreign language constitutes a great handicap, which is considerably enhanced by reason of the classical languages of India, namely, Sanskrit and Arabic, not being placed on the same footing as Greek and Latin, and by the allotment of a considerable number of marks to modern European languages. I think also Hindu and Muhammadan law should find a place in the syllabus, and that the same number of marks should be allotted to the subject as in the case of Roman law.

18272 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I consider that in the present circumstances a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration. In the Executive branch I should put the present minimum at half and in the Judicial at one-third.

18273 (25). Do you accept, as generally satisfactory in principle, the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I would keep the system of filling up from India the listed appointments.

18274 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on Executive or Judicial duties?—The people consider that "Natives of India" have generally proved as efficient as their European colleagues.

18275 (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not think the old system of appointment of Statutory Civilians should be revived.

18276 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?—The complaint has been that the appointments which the last Public Service Commission recommended should be thrown open to members of the Provincial Civil Services have not been so thrown open: and, moreover, the appointments listed have not been filled up by members of the Provincial Civil Services.

18277 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I would recommend the continuance of the system of a probationary course in England.

18278 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—One year's probationary course is ordinarily sufficient.

18279 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—No.

18280 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. I would suggest £150 to £200 a year.

18281 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education, and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school, and to those who do so after completing a University course?—I would suggest the establishment of an institution where the subjects of study should be such as would be of use to the probationers later on in the discharge of their duties: such, for instance, as Indian History, Indian vernaculars, Indian law, etc. Yes, my answer applies to all, as, in case the age of examination is lowered to suit candidates just after leaving school, residence in a University, unless the taking of a degree is made compulsory, would not be of much use.

18282 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you? (52). In particular, please state your opinion as to the desirability during the period of probation of (*i*) compulsory attendance at Law Courts in England and reporting of cases; (*ii*) the teaching of Indian Law in addition to the general principles of Jurisprudence; (*iii*) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(51-2). Except making the study of Indian Geography and of the elements of Hindu and Muhammadan Law compulsory, I would not insist upon any further change in the courses of study for a probationer. In the case of officers recruited for the Judicial branch the legal subjects which now form a part of the final course should be made a part of the original course as a higher standard, and I would suggest that during the probationary period they should have as compulsory subjects Indian History, Indian Geography, the principal vernacular of the province to which they may be posted, and further in their case attendance at Law Courts in England and reporting of cases should be made compulsory.

18283 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The probationer's course of instruction should be given in England: in the case of appointments to the Judicial branch made in England this may be dispensed with, and the probationer may have his course of instruction in India, and be attached to a High Court, thus curtailing the period of his legal instruction.

18284 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am not in favour of this proposal.

18285 (56). In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I agree with the opinion expressed in this report.

18286 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommended for such officers? (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—(57-8). As regards appointments made in India by promotion a probationary course in England is not absolutely necessary, though residence in England in connection with a course of special study should be encouraged and, if possible, insisted upon.

18287 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes, a differentiation is necessary: for Natives of India, Indian History, Indian Geography, and an Indian vernacular, except in the case where the candidate is not posted to his own province, need not form a part of the curricula: in their case Political Economy, specially in connection with India, Accounts, and the study of a modern European language, French or German, and History of Modern Europe may be substituted with advantage.

18288 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—There is a perceptible deterioration in the knowledge of Indian languages: I think it is principally due to the growing knowledge of English among the native population. I am not satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages; special encouragement should be given, not only in the shape of money rewards, but the passing of particular standard of examination should constitute a superior claim to promotion.

18289 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowlege of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose? (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch? (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—(64-6). I have suggested a separate system of recruitment for judicial officers: if the present system is adhered to, officers selecting the Judicial branch should make their choice at the start; they should have special subjects for their probationary course, including attendance in courts: on arrival in India they may do a year's settlement work to enable them to know something of the country; then they should be attached to some law courts and work with the Legal Remembrancer, the Advocate-General, the Standing Counsel or the Government Pleader or Public Prosecutor; I would go so far as to permit them, under certain conditions, to take private legal work; then they should be posted to appointments where they can do both civil and criminal work; in criminal work as Assistant and Joint-Magistrates, in civil work as Munsifs and Subordinate Judges, until they attain to the position of District and Sessions Judges.

18290 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—Yes: an examination similar to that for the Honours degree in law of the Calcutta University may be held and judicial officers encouraged to present themselves for examination.

18291 (68). Is any differentiation desirable in the system of training, after appointment in India, between members of the Indian Civil Service who are "Natives of India" and other natural born subjects of His Majesty? If so, please state your proposals?—No differentiation is necessary except in the case of a Native of India when he is posted to his own province, in which case the knowledge of the vernacular language of the province may be dispensed with.

18292 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—In the system of direct recruitment that I have recommended no special training is required.

18293 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—The system of training that I have suggested may apply to all.

18294 (71). Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions?—I think it is essential, in order to give the Judicial branch of the Service proper training and ensure a reasonably sound administration of law, that the present differentiation until an officer becomes an Additional or a District and Sessions Judge should be done away with: civil and criminal judicial work should be done by the same set of officers, sometimes presiding in Civil Courts and sometimes in Criminal Courts. The civil and criminal judicial work should be merged into one Service, officers of the Indian Civil Service being placed in one list and officers of the Provincial Service discharging both civil and criminal judicial work, in another list. This system will give a better training to members of the Civil Service accepting the Judicial branch, and also to members of the Provincial Service, some of whom may be posted to the listed appointments.

18295 (72). The present theory underlying the conditions of service in the Indian Civil Service is:—(*a*) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency, in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system. If the age of recruitment were lowered, the period should be 10 years.

18296 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants? (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—(95-6). The exchange compensation allowance should be abolished, but so as not to affect existing arrangements. If any other allowance is intended, the question arises as to whether the pay of the Civil Service should be increased generally. Whatever the allowance, all must share equally.

18297 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary, approximately, at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—I would accept the arrangement as to the pay being two thirds.

Written answers relating to the Provincial Civil Service.

18298 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The present system of recruitment for the Executive branch specially is neither suitable nor desirable: appointments are made in a province by allotment to each division; these are supplemented by recommendations from the University, by promotion from the Subordinate Provincial Service and by special nomination from different classes and communities. This system was introduced into Bengal during the administration of Sir Andrew Fraser, superseding the combined system of competition and nomination which had been brought into operation during the administration of Sir Steuart Bayley. I am of opinion that the present system has not worked satisfactorily: the Collector of the district is not expected to know all or even a reasonable percentage of deserving young men in his district, or their parents. The result is a scramble for letters of introduction or recommendation: it is difficult to make a selection merely by perusal of certificates and after a casual inspection of the candidates, and naturally the selecting officer has to rely upon recommendations of people whom he knows. Even graduates nominated by the University do not escape this contamination: in the first place they try to secure, by means of personal recommendation, nomination by the University: in the second place, as the University sends up the names of a number of candidates from amongst whom a selection is made by Government, there comes again the element of personal influence. Then as regards special communities the case is open to serious objection; there is a feeling that whatever may be his worth, if a youth belonging to any special community has got the minimum qualification and his guardians are able to secure sufficient influence, he has every prospect of getting in. The whole system is vicious and has a distinctly deteriorating effect on the *morale* of the service. The men feel that they have come through favour and not by merit, and the public do not repose in them the confidence which is so essential to the maintenance of a high standard in the administration of justice. I would strongly insist upon the abolition of the present system. The competitive system should be reintroduced: a list of the names of the successful candidates with marks gained by them should be published: appointments should be given as a rule in order of merit: if the claims of special communities have to be recognized under present circumstances, the appointments should be given to them from successful candidates in this list, also in order of merit among themselves, so that there may be no question of a double system of favouritism, namely, of communities and individuals: a percentage of the appointments should be reserved for deserving members of the Subordinate Provincial Service if that Service is maintained as it is, and a few appointments may be reserved by Government to meet special needs: to ensure the admission of a good class of men some method of selection before presentation for the examination may be introduced, but even this would be undesirable; there should be an age-limit, 23 to 25, for these examinations, and no candidate should be allowed to present himself more than twice. The Subordinate Provincial Service, which is now being recruited from amongst young men possessing the same qualifications as the members of the Executive branch of the Provincial Service, labours under great disadvantages: the members of this Service can only rise to Rs 250 a month. Having regard to the responsible work now entrusted to this branch of the Service, the whole Service should in my opinion be amalgamated and the scale of pay revised.

18299 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—In the higher interests of the country inter-provincial appointments should be made: but as Bengal is probably more advanced than many other parts of India, as a Bengali I should hesitate to insist upon this change at the present stage: I think, however, in justice to the Bengali, he should not be deprived of the privileges he enjoyed before the readjustment of the boundaries of the old province of Bengal, as regards appointment.

18300 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—It is desirable that the officers discharging judicial duties should form a separate cadre: at present civil judicial work is done by a class of officers known as Munsifs, who are appointed by the High Court from amongst practising pleaders, generally after three years' practice: these rise in time to be Subordinate Judges: officers who do the criminal judicial work should be similarly appointed: so far the appointments made by the High Court have seldom, if ever, been adversely criticised. The High Court gives at first officiating appointments and if the officers selected give satisfaction they are confirmed. The class of officers now known as Munsifs, as well as those who at present perform criminal judicial work, should be recruited under one system, either on the recommendation of the High Court or as the result of a competitive examination open only to young men who have graduated in law, and should hold interchangeable posts.

18301 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?—The superior listed appointments have not all been filled up by members of the Provincial Civil Service: these appointments should be somewhat enlarged and duly filled up. In my opinion, officers should be chosen for the listed posts when comparatively young and then work up, before the habit of deference, inseparable from holding subordinate posts, has become confirmed.

18302 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The initial pay of a Sub-Deputy Collector, namely, Rs. 100 a month, is extremely inadequate for the efficient discharge of his duties. The grading of the civil and criminal branches should be similar. Promotion now in both branches is very slow: there ought to be a time-limit, and this is specially necessary in the lower grades: an officer ought to rise to a grade of Rs. 500 to Rs. 600 a month in 12 years.

18303 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—I think the present arrangement by which officers appointed to the listed posts draw two-thirds of the pay is reasonable.

18304 (43). Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I think that the pension of officers who have held the superior listed appointments and have earned the full pension should be Rs. 6,000 a year, provided these appointments are given to a person early in life and not on the eve of retirement.

MR. BHUPENDRA NATH BASU called and examined.

18305. (*Chairman.*) You are a Member of the Governor-General's Legislative Council?—I was until lately.

18306. Do you occupy any public position now?—No; I do not.

18307. The answers to the questions that you have sent in relate largely to the judicial branch of the Civil Service, do they not?—Yes.

18308. You very strongly recommend a system of separate recruitment for the judicial and the executive branches of the service?—Yes.

18309. And I understand that you would have a separate examination for each of these branches?—Yes.

18310. In a subsequent answer, question (24), you propose a minimum proportion of Europeans in the higher posts of the Civil Administration?—I will not say that I propose; but I simply give my opinion that, under the existing circumstances, a minimum proportion of European officers should be maintained.

18311. You approve of it?—Under the present circumstances, I do.

18312. And what you suggest is that, in the executive branch, the minimum of Europeans should be half and in the judicial one-third?—Yes.

18313. I understand that you would also retain the listed post system?—Yes

18314. Could you tell me what is the main reason why you lay so much stress on the separation of the executive and the judicial branches?—Because, in the first place, I think that under the system as it now obtains you do not get properly qualified or properly trained judicial officers. In the second place, there is a feeling—and from my experience, a feeling for which there is a great deal of justification—that by the combination of judicial and executive functions miscarriage of justice sometimes takes place and that the administration of justice is not carried on with the same degree of detachment and impartiality as it ought to be; detachment from personal considerations and impartiality as regards the result of fair enquiry.

18315. The first of these objections could, I suppose, be effectively remedied by an improved system of training?—Yes.

18316. I suppose you would say that the reason why, in your judgment, Judges are not able to carry out their work efficiently is due to the fact that they have not been trained in judicial work in the previous part of the career?—That is so.

18317. Then, coming to your statement that there are occasions when there is miscarriage of justice, I would ask whether that is due, in your judgment, to the system which is in practice?—That is so; it is due to the system.

18318. What you mean is that the same officer occupies the position of prosecutor and Judge?—Yes; that is so.

18319. And your proposal is that the executive officer should be relieved of all judicial functions?—Yes.

18320. You do not suggest that, in this cleavage that you propose, the executive officer as represented by the Collector, should be shorn of his powers of prosecution?—No, I do not suggest that.

18321. You do suggest that the judicial work that he has to do, the work that he has to do as a Judge, should be transferred to a Judge. Am I interpreting your proposal correctly?—Yes, I was going to add that not only should the judicial functions be removed from him, but the control over officers exercising judicial functions should also be removed from him. That is the great point—that he should have nothing to do either with the promotion or with the prospect of officers under him who discharge judicial functions, and who decide cases which are more or less, instituted on his initiative.

18322. And to whom would you hand over those functions?—The judicial functions should be handed over to a Judge.

18323. That means, in other words, that all the judicial functions of the various grades should be removed from the executive side and handed over to the judicial?—That is so.

18324. With your knowledge of Bengal, what would that mean in regard to the staff?—I do not think that there would be any large increase in the staff for this reason. Now the judicial work, by which I mean, for my present purposes, criminal judicial work, and other work, viz., revenue, excise and other departments of the executive work, is done by subordinate officers sometimes separately and sometimes under an interchangeable system. It would be quite possible so to allocate the work as to separate the officers who discharge judicial duties from those who discharge executive duties without any material addition to the staff.

18325. You mean that the executive officer would have less work to do over a larger area?—The officer would have less work to do.

18326. He would have to go over double the area. How would that work out in different districts? Would the area be too large?—I do not think so We have got a fairly sufficient staff of subordinate servants to do this work, and the judicial and the executive functions are more or less distributed. An officer who has to decide cases has seldom the time to do executive work; and consequently, I do not think that there would be any very great material difficulty in the adjustment. If there is a very small deficiency of subordinate executive officers, that might be easily remedied. I am speaking of Bengal and of men with the position of Sub-Deputy Collectors—men occupying the position below Deputy Collectors; and they might be easily remedied —the executive officers in the discharge of the duties—if the area allotted to them should be found to be excessive. It would not be a matter which it would be difficult to arrange.

18327. I would ask you one or two questions as regards the system of recruitment that you propose. There would be, under your scheme, a separate simultaneous examination for the judicial, separate in the sense that it is different from the simultaneous examination that would be held for the Indian Civil Service?—Yes.

18328. And the age would be different for the judicial candidates from what it would be for the executive?—That is so. The reason for my proposing a higher age of recruitment for the Judicial Service is to attract to that service the members of the Indian and English Bar. The age at present fixed is 22 or 23, and that will be too low an age for this class of men to come and compete; whereas 24 or 25 would be a good age at which young Barristers will qualify themselves in general knowledge and could come.

18329. Do you think that at that age they would be prepared to go through the arduous work entailed by an examination of that character?—I think they would be. The examination would have to be probably differently constituted, giving a larger preponderance of marks to legal subjects than to the general subjects. In that case, men who have been called to the Bar or who have taken Law degrees, if they have been also University men, would be able and willing to come forward and compete for this Service.

18330. I understand that this simultaneous competition would only be for one-third of the posts to be recruited?—No.

18331. Is it two thirds?—No. I said that in the judicial administration, for our present purposes, one-third of the officers should be Englishmen.

1833 . Appointed from the Bar?—Appointed generally—whether from the Bar or through a public examination is not material for my scheme. What I submit is that the entire number of appointments may be made up by the open competition; and I am in favour of no sort of limit for the present, because I should be against my countrymen coming into office, because there is reservation for them, for that would be entirely destructive of any self-respect that may grow in my community, if they should come in by favour and not by open competition. I want fair field and no favour.

18333. You say that you would reserve one-third for Europeans?—That reservation would not be necessary, because I feel that you would get one-third anyhow.

18334. The remainder would come in by competition. A portion would come in by competition, and a portion from the Provincial Service?—Yes; they could come in through the examination; but a certain number of appointments ought to be reserved for the Provincial Service. From the entire list some appointments are to be reserved for the Provincial Service, in order to encourage the members of that Service to qualify themselves for the higher service.

18335. And you would recruit the Provincial Service by open competition too?—Yes.

18336. Separately?—Yes.

18337. There would be separate examinations for the executive and the judicial branches?—Not for the judicial branch, but the executive branch. The executive branch of the Provincial Service in Bengal—I can only speak of Bengal, with definite knowledge—used to be recruited by open competition and nomination. That was the system introduced by Sir Steuart Bayley, one of the Lieutenant-Governors of Bengal; but afterwards during Lord Curzon's *régime*, when Sir Andrew Fraser was the Lieutenant-Governor, that system ceased and gave place to a system of nomination pure and simple.

18338. I have enumerated with your assistance all the doors through which you would suggest recruitment to the Judicial Service. I will just ask you one more question. What is your objection to the alternative scheme of one examination—the Indian Civil Service examination—and immediate bifurcation subsequent to that examination?—If that was supplemented by a further condition, viz., that that competition would be available to boys in India as well as in England, through the simultaneous examination, I would have no objection to your Lordship's proposal.

18339. We have had a great deal of evidence to show that it is important for a Judge to have devoted a certain number of years, say four or six, to civil executive work. What is your opinion about that?—My experience has been that it is distinctly detrimental to the true interests of the pure administration of justice, if executive tendencies should be developed at an earlier age, which, with the best of intentions, it is not always possible to get rid of, even when discharging the duties in the highest tribunal.

18340. You think that executive work, efficient executive work, is subversive of a judicial mind?—I will not go so far as to say that it is subversive; but I would say that it is not helpful always. I will put it in that negative form.

18341. You will somewhat modify your view?—Yes, in a somewhat modified form.

18342. However, you object to this proposal, which has been put before us by a great many witnesses, that the Judge should have had so many years' executive work, not merely on the score of broad administrative efficiency, but because you do not think that it will promote the best characteristics in the Judge. Am I right in that?—Your Lordship is right, except that so long as our Judges continue to be recruited from abroad, from outside India, it would be desirable for the mufassal judiciary to have some knowledge of the people and of their ways and manners; and for that reason I would not object, though otherwise I should, to their being put on civil executive work for a period not exceeding two years.

18343. You would regard that as a useful part of their training for the judicial branch?—Yes.

18344. (*Sir Murray Hammick.*) I suppose you quite recognise that it would be an advantage to have one system of examination rather than two. Your proposal of two examinations has the *primâ facie* objection to it that the number of examinations is two and that complicates matters?—It would be an advantage, certainly, if the work was the same; but you cannot have the same examination for men who are going to be carpenters as well as for those who are going to be blacksmiths. There is a Bengali proverb that you cannot make a potter out of a blacksmith; and consequently, when your work is different, it would be to the interests of the work itself, if the standards of recruitment are also different, and therefore if only the disadvantage of having two examinations can be got over, it would a distinct advantage to have two examinations.

18345. This second examination of yours you have fixed between 24 and 25 years of age?—Yes.

18346. Is it not a fact that with English candidates, at 24 and 25, you would not exactly get the same class of candidates as you get at the younger age of 22 and 23; that is to say, in England the man who takes to a Barrister's career does not begin that career till long after 24 years, and that, as a rule, he is just then taking his degree at the University and beginning to eat the dinners and he has not done anything more. But in India it is different. At 24 or 25 you would have a full-grown vakil and you get that in England. Therefore, it does not seem to me that the distinction between two examinations in England is likely to be of sufficient importance to justify the proposal of having two examinations. Do not you think there is something in it?—When I was fixing that age, as I said in my answer, I thought it would enable young men in England who had eaten their dinners and been called to the Bar to come and compete.

18347. But as a matter of fact they have not specialised by that time—by 24 and 25. Passing on to the next subject, you are in favour of a complete separation of judicial and executive functions, and what I want to ask you is: Supposing that we had one examination and after the competition we separated the young men into two different sections entirely and we made one take the judicial and another the executive and we gave them the period of probation during which their studies would be somewhat different—what I want to ask you is whether you consider that the men who took the judicial could come out here and do magisterial work without any revenue work at all for some years before they became Judges—whether in fact there would be any objection to the men of the Judicial department beginning their careers as Magistrates pure and simple and then passing on to be Judges, civil and criminal?—I would object to that system.

18348. You think that the very fact that a man has been a Magistrate unfits him to be a Civil Judge and Criminal Judge?—I will not say "unfits" him; but it makes it more difficult for him to possess the same judicial frame of mind which we associate with judicial officers.

18349. That of course makes it more difficult, because judicial men must be provided for the first few years of their service in this country with some work which is not magisterial but which is criminal and civil. Suppose you bring these men out, how are you going to provide for them in the first three or four years of their service?—Assuming, as my scheme does assume, that these young men have some knowledge of law theoretically at least, and then they have some training at the Bar under some Barrister or Vakil, I would put them here in India, as I have suggested, under the Public Prosecutor to learn work for some time, say, for about a year, and I would also not object to, in fact I would encourage, his being put on settlement work; and then he may be entrusted with judicial functions both criminal and civil, just as you have at the present time in the case of Munsifs and Deputy Magistrates beginning with small cases, cases of assault and like that on the criminal side.

18350. And then he would be dealing with them as a Magistrate, but not as a Judge?—I am afraid we have not understood each other. By Magistrate I mean so long as he is exercising judicial functions. If you also refer by Magistrate to that capacity, viz., that he is discharging judicial functions, I have no objection to his exercising the functions of a Magistrate; but if he is exercising executive functions also, I have objection.

18351. Put aside executive functions. Would you allow him to be a Magistrate, suppose he had nothing to do with the executive administration of the district?—Certainly, he would try simple cases, both civil and criminal to start with, and then go on to do the work of a Munsif, say, for two years, and then do the work of a Subordinate Judge for another two or three years, then become Assistant Sessions Judge and then Sessions Judge.

18352. The Munsif, the Provincial Service Munsif, you would not like to see him work as a Magistrate?—Why not? My scheme provides that judicial functions, both civil and criminal, should be discharged by one set of officers who should be, as Munsifs now are, under the judicial head of the district, who is again subject to the control and supervision of the High Court.

18353. Do you not think that there is considerable objection to a Civil Judge being a Magistrate? It seems to me a very objectionable practice that a Civil Judge should be a Magistrate, and have to do a great deal with police enquiries, take down deposition, issue process in emergency, as that will interfere with his civil work and with the frame of mind with which he judges in civil work?—At present we have work which is criminal judicial work and civil judicial work in two water-tight compartments. For purposes of convenience, the work must be entrusted to different sets of officers; but I would make the service interchangeable. So long as I am doing the work of a Magistrate, I will do the work of a Magistrate; but I may also be transferred to do civil work in the same way as a man who is doing civil work may go over to criminal work. It would be inconvenient for the same officer to do both kinds of work at the same time.

18354. To get him to do either work, you would make a man a Magistrate for six months and then make him a Civil Judge for six months?—Yes.

18355. I suppose you would not absolutely base your whole scheme on these two examinations of yours; but if you could have a single examination with immediate separation of judicial and executive officers, with a system under which judicial officers came to India to do executive work, partly for training, say, for one year or 18 months, that would meet your wishes?—Yes, that would.

18356. There is only one other question. You are in favour of introducing the system of competition again for the Provincial Service?—Yes.

18357. But you say that certain appointments should be reserved by Government to meet special needs. Have you any idea what should be the proportion of those appointments and what proportion should be kept open for competition?—That is this: In the first place you open certain appointments for competition pure and simple, and then unfortunately as things stand, you have got to consider the claims of different communities, and therefore I would also take from this list, provided they have fulfilled the minimum requirements which this examination will impose, the members of the different communities in order of merit. But apart from that there are occasions when the Government does require to reserve certain appointments to itself for special purposes. For instance, a very deserving executive officer in the Provincial Service may suddenly die without having made any provision for his family and leaving a son, who is otherwise qualified for an appointment. I do not say it is necessary, but it may be necessary to provide that young man with something, if he is otherwise qualified. So I would reserve a certain number of appointments for that purpose. As to what the number ought to be, it would be useless for me to make a hazardous or guess statement. But assuming the number of appointments is 30 in one year, I would reserve at least five appointments for that purpose, *i e.*, one-sixth.

18358. As regards the Indian Civil Service and the simultaneous examinations, I suppose your answer to the objection which has been raised to simultaneous examinations, that they would exactly, in the same way as the competitive examination for the Provincial Service, bring into the Indian Civil Service men of entirely one class—I suppose your answer would be that the educational facilities are open to other classes and it is for them to make up and try to get the appointments if they can?—Yes. Happily the signs are not wanting that they are doing so.

18359. Do you look forward to other classes being able to compete with any chances of success in the course of 10 or 15 years?—Yes.

18360. When do you think, for instance, if you had competition, a fair number of Muhammadans could get in?—As you see already, they are beginning to get in. Some of them have got in and they are achieving distinction in Universities in India as well as in England. I do not see that there will be any real difficulty in their passing the competitive test.

18361. In the next few years?—In the next 10 years; there have been brilliant University men from the Muhammadan community among ourselves.

18362. Supposing that in other parts of India, in Northern India, strong objection is raised to the simultaneous examination by a very large section of the people on the ground that the people in that great tract—the north of India—would have very little chance of getting in, do you think that objection should be taken account of?—Boys, Punjab Muhammadans especially, are distinguishing themselves in the Universities both in England as well as here, and if you are referring to the Punjab I do not think that any serious apprehension need be entertained on that score. At present, what is the position? The position is that the appointments are open to everybody who has got the brains, the pluck and the means. By the simultaneous examination, we only interfere with the third condition, viz., a boy who has got the pluck and the brains, even if he has not got the means, may go in and compete, so that I do not think that the simultaneous examination would introduce such a change as would alter the character of the service as it now obtains.

18363. The experience of competition for the enrolled accounts service, so far as it has gone, has been to show that the Madras Presidency has carried off a very large proportion of those appointments. You would not think that that would be an objection if that happened with this competition?—No, for this reason. I know something about it. In Madras, as you are probably better aware than I am, they have opened special classes for training youths for that examination, whereas we have not got that advantage in Bengal, and I cannot say what is the case in the other parts of the country. I am told that in the Presidency College at Madras they have special facilities for training youths for the Accounts examination.

18364. I do not think that there is any special class in Madras. The Madras man in his general education happens to get hold of things which are useful for this test, and so far as the Presidency College is concerned, it would be contrary to all our rules to have such a class?—I speak subject to correction. I have no direct knowledge, and I only speak from what I heard from officers whom I met at Simla, when I say that there are special facilities in Madras. I am not able to describe properly the facilities given in Madras for training the boys for that examination.

(Adjourned for a short time.)

18365. (*Mr. Abdur Rahim.*) As regards the separation of the Executive and Judicial functions I understand your position is this: The District Magistrate and Collector combines in himself the functions of a Magistrate as well as an Executive officer pure and simple; as District Collector he is in charge of the revenue administration of the district and he has also got to do with the Municipal and Local Boards and other departments of the district, and is also head of the police. In those capacities he has often to initiate prosecution?—Yes.

18366. And he feels he is responsible for the proper prosecution of those cases which are initiated either under his direct orders or with his sanction?—Yes.

18367. As District Magistrate he not only has the power to try magisterial cases, but also has the control of the subordinate magistracy?—Yes.

18368. That is to say, he makes recommendations for promotion, transfer, and so on. He can transfer one case from the file of one Magistrate to the file of another Magistrate?—That is so.

18369. So the result is that in many cases, either police cases or cases initiated in connection with special departments, the subordinate Magistrate, if he is trying one of those cases, does not inspire the same confidence in the litigant or the public generally because he is subordinate to the District Collector who is responsible for the proper prosecution of these cases?—That is so.

18370. I suppose your experience will tell you that applications are often made for transfer on that ground?—Yes.

18371. And sometimes they succeed and sometimes they do not?—That is so.

18372. May I take it that in your experience the general result is that the combination of the two functions leads the public to repose less confidence in the administration of criminal justice than would otherwise be the case?—That is so.

18373. And the opinion on this point is very strong in the profession in this province?—Both in the profession and amongst the public.

18374. I suppose you are aware of the scheme which was put forward by Sir Harvey Adamson not long ago with regard to the separation of the two functions? Yes.

18375. I believe the gist of the scheme was this: at present one officer is discharging magisterial duties and also revenue and other administrative duties?—Yes.

18376. And there are a certain number of such officers?—Yes.

18377. So that if you centred in one officer only magisterial duties and in another officer the other duties, then there would not be probably much increase in the cost?—That is my belief.

18378. You are perhaps aware that a scheme was once formulated by Mr. R. C. Dutt?—I am aware of it.

18379. And he said that there would be no extra cost, or if there was any it would be very inconsiderable?—That is so.

18380. Has Sir Harvey Adamson's scheme ever been put into operation in Bengal?—No, it was supposed to be put into operation in two districts I know of but in quite a different form; that is to say, they have put in another Magistrate to look after the magisterial work; unfortunately owing to the state of the province at the time one Magistrate became practically the political head of the district and another was discharging the actual duties of a Magistrate, and consequently the experiment as Sir Harvey Adamson wanted it has not been tried, at least in Bengal, or it has not been tried at all in the sense of dividing the functions from the very start and putting one set of officers under separate control altogether.

18281. You desire that Magistrates should be under the control of the District Judge?—Yes.

18332. And that the Revenue Officer or Deputy Collector should be placed under the District Collector?—Yes.

18383. Mr. Sinha told us the other day that in the profession here there are men who have proved their ability and capacity at the Bar who might be willing, if there were a certain number of appointments of District Judges open to the Bar, to accept those appointments and would be competent Judges. Do you concur in that view?—I do concur in that view.

18384. I do not know whether you are aware that in Madras certain appointments are made direct from the Bar to District Judgeships and Subordinate Judgeships?—I am not aware of that.

18385. Do you think there would be certain members of the Bar, qualified by practice and experience, competent to hold the appointment of District and Sessions Judges?—Yes.

18386. I suppose they would not be men in leading practice?—No.

18387. But do you think they would have sufficient experience and qualifications to fill those places properly?—Yes, they would.

18388. What standing would they generally be?—Barristers of from seven to ten years' standing.

18389. You could get good men of that standing?—Yes.

18390. And Vakils?—Yes, of about the same standing.

18391. It has been suggested by some witnesses that if you make any appointments from the Bar to the District Judgeships you will have to rely on briefless Barristers or briefless Vakils. Is that suggestion well founded?—No, that is not well founded.

18392. You have suggested separate recruitment altogether for the judiciary?—I tell you frankly that my difficulty about the appointments from the Bar lies in a possible abuse of nominations. If a sufficient safeguard could be provided by which that abuse could be avoided, then I would not object to recruitment direct from the Bar. Therefore I have suggested a separate examination to do away with the element of nomination.

18393. I quite see your point, that the power is likely not to be properly exercised, or at any rate not to be exercised to the best advantage?—As you know, in cases to which I need not refer there has been not a very judicious selection of officers from the Bar.

18394. I follow that, but it is possible to get quite a number of competent men to make the selection from?—Quite possible.

18395. Now I want to put to you another point with regard to this. I see that in one place you admit the selections made by the High Court for District Munsifs' places are, generally speaking, quite happy?—In Bengal, as you know, we have no District Munsifs. We begin with Munsifs and they go on until they become Subordinate Judges. We have had no complaint practically with regard to the selections made by the High Court.

18396. Why should there be any difference in the selections made for some of the higher appointments?—The system under which Munsifs are appointed is this. After a certain number of years' practice, three years, regard being had to the general qualifications of the candidate, his University qualifications and the certificates that he procures from the Judge and the Subordinate Judge before whom he practises, the High Court gives him an officiating appointment, and if he discharges his duties well he is confirmed. In these appointments made by the High Court my experience has been that it is seldom moved by any other considerations than fitness of the candidate, and therefore through all these years there has been practically no complaint against the nominations of the High Court.

18397. Do you suggest that if you go higher up the scale there will be ground for complaint?—When the Government is appointing, and when we have not got the same safeguards which the High Court imposes when it recruits young men as Munsifs, difficulties may arise.

18398. But supposing the appointment is made on the recommendation of the High Court as in the case of Munsifs?—Then those difficulties will be considerably minimised.

18399. I want you at this point to bear in mind the counterbalancing consideration. If a man has had sufficient experience at the Bar, and the Judges are satisfied with regard to his capability, you will have a man here who has proved his ability and merit in the profession, will you not?—That is so.

18400. In the case of recruits taken by mere examination or selection at the earliest stage of their career, as in the case of District Munsifs, there is a certain amount of uncertainty and risk, is there not?—You are quite right, except that you take men of a certain degree of culture and attainment, nothing beyond. You miss the element to which you refer, namely, experience of the rough and tumble of life, which is very valuable and which is wanting in the members of the Civil Service. They have not to elbow their way forward as other men have got to do in other walks of life, and that is an experience which is of incalculable benefit to a man who discharges duties, executive or judicial.

18401. It really comes to this, that we have to take into consideration, as regards your scheme, which advantages are to be most paid regard to, experience and trial in the profession on the one hand or the risk of the power of nomination being abused on the other?—I tell you frankly that many subordinate appointments which have been made by Government have not been very happy. I cannot refer to any particulars, which will be present to your mind just as they are to mine. When you are working a system of appointing a large number of officers every year the risks attendant upon nomination appear to my mind to be so great as to justify the other expedient, namely, of taking men possessed of some degree of legal and general knowledge into the service and training them up gradually for superior posts. I quite admit the system has its drawbacks, but setting those drawbacks against the drawbacks attendant upon a system of nomination I am inclined to give preference to the scheme that I have suggested.

18402. You have taken all these facts into consideration?—Yes, I have.

18403. (*Mr. Madge.*) You go to the very root of the administration which you wish to reconstitute by suggesting a two-fold plan, first as regards entrance by different sets of examination, and later by employment on two sides, one controlled by the Executive Government and the other by the High Court?—That is so.

18404. Have you ever considered that in the Government of this country British rule may to a certain extent have adapted itself to the instincts of the people, so far for instance as to reserve in the Sovereign or his representative the administration of justice?—If you will pardon me, may I put a question? Is not the judicial power as much the prerogative of the Sovereign as the executive power, and is not the Judge on the Bench as much a representative of the Sovereign's authority as the Magistrate in the district?

18405. You see I am here to get your opinion for the benefit for the Commission, and not so much to give you mine. I do not deny that a Judge may represent the Sovereign to a certain extent, but what I say is that originally the Sovereign represented the administration of justice. I put it to you in this way, that the administration of justice in this country does not consist exclusively in the interpretation of the letter of the law; it consists in setting wrongs right in one way or the other?—It is because wrongs are not set right and because rights are set wrong that I advocate this system of separation.

18406. Have you ever moved about in the mufassal with a District Officer and seen the kind of things he sometimes does?—I have not moved about, but I am largely interested in the mufassal, holding as I do properties of some magnitude, and mixing, as I have got to, with the people amongst whom my lot is cast, and I find that there is always the feeling that whenever a prosecution has been started at the instance of the police, which means with the ultimate sanction of the Magistrate, there need be no expectation of justice. It is only a matter of chance as to how you get out.

18407. That is hardly answering my question. I am quite aware that is your opinion, as you have put it forward. What I want to know is whether a Magistrate in travelling about in the interior does not often, in the exercise of his lawful powers, set right things which if he did not set right might eventually tend to promote litigation and breed bad blood?—That is in his private capacity, not in his ministerial capacity. He will be able to do that still under my system. He will always be able, by virtue of his position, to exercise his private influence in adjusting differences and settling disputes with which he has no concern as a judicial officer. In fact, in my view he will be in a better position because he will then be an outsider so far as the merits of the case are concerned. He will be merely the benevolent District Officer exercising his influence to settle differences.

18408. You do not think that in his position as Magistrate of the district, apart, purely from private interest, he fulfils any duties of the kind I have referred to?—Yes, he does. The Magistrate of the district sends for people under his charge and within his jurisdiction and oftentimes settles civil disputes between them with which he has no concern, and title disputes. He exercises influence as District Officer. I have known of big suits being settled in that way through his influence.

18409. But I understood you to say that the exercise of executive functions by a Magistrate prevents his acquiring a judicial frame of mind?—That is my opinion.

18410. And you are prepared to hold it against the opinion of experienced officers, both Indian and British, who say that an executive officer acquires valuable experience in the exercise of executive functions early in his career, experience which proves of great value to him as a Judge on the Bench?—In my experience in my profession I have found that this so-called knowledge has been the source of very great trouble to parties, as importing knowledge into a case outside the records.

18411. I did not speak of importing knowledge but of acquiring experience, which may be a different thing. All I ask is whether you are quite prepared to hold your opinion against that of experienced officers, both Indian and British, who have the misfortune to disagree with you?—Experience gained is always of value, but experience gained as an executive officer is not of much value in trying cases, and I am afraid oftentimes it has a very deleterious effect upon the proper understanding of facts.

18412. In answer to question (12) you say that "in this respect the men of the old Statutory Service had a distinct advantage." Nevertheless you wish to abolish the system. I do not think there is any contradiction between these two views at all, but what I want to ask you is this: whether you think it is possible by any modification of the statutory system to get hold of talent and ability in this country which does not succeed, but which has an influence in its own sphere and which we do not get hold of by competitive examination?—I am against any system of nomination and of preference.

18413. You would say the same, no matter by what authority or mixture of authority or Board of selection that privilege was exercised?—That means only a question of safeguards. If the system is followed the safeguards are oftentimes apt to give way, and I do not wish to revive a system which may lead to abuse. What I say about the advantage of the statutory system is this, that they begin young and they develop habits of independence as officers who began their career young. Under the present system you take from the Provincial, Judicial and Executive Services men who are nearly on the verge of retirement and who have spent a lifetime in a subordinate service and have acquired habits of deference which it is difficult to get rid of so late in life. That was the advantage of the Statutory Service, but it had disadvantages which I should be very sorry to see revived.

18414. Was that because the selections were unfortunate?—Yes, and influences were brought to bear upon the selection which under the present conditions it would be difficult to eliminate.

18415. I have heard men of experience, both officials and non-officials, who are far greater authorities than I can ever pretend to be, hold the opinion that there is a class of Indians who are of influence and who can be made great use of if we could get hold of them somehow or other and adapt them to our scientific rule, and I should have thought that all Indians would have been very pleased to have that class of men working side by side with them if possible, and I merely want to know whether you think it is not possible in any way to get hold of that class, whether by the statutory or any other system?—If you could get hold of them by any other system than by way of nomination I should not oppose it; but if you mean, as I think you mean, that special facilities should be given to certain classes who are lacking in education to occupy posts where their colleagues possess a much higher standard of education, I think you will be doing a disservice to this class as well as to the service itself. I have known under the statutory system, which grew up so to say under our very eyes, men appointed for particular reasons of social standing or families or otherwise, and those men have been held in contempt not only by their colleagues in the service but by the public.

18416. Kindly do not think I mean anything but what I say. I simply used the name of the Statutory Service as a stepping stone. The question was, whether there was not a class of talent in the country that could be used for the benefit of the country and the State, and whether you with your experience could suggest any means of obtaining that talent. That was the sole reason I had for referring to the Statutory Service. I have heard, for instance, that if these men were employed in the Army they would render excellent service, and I have heard opinions to that effect from experienced Indian gentlemen. I want your experience as to the possibility of gathering in that kind of talent in the interest both of the country and of the State?—You could not set them up as Judges, but you might set them up as soldiers.

18417. No method occurs to you then for realising this dream?—No.

18418. (*Mr. Macdonald.*) I should like to bring you back to this Magistrate again. The Executive officer who is a Magistrate touring about in his district, I suppose, is a general friend of his people and tries to stave off litigation and to protect them in a thousand and one different ways?—That is so.

18419. That, as I understand it, is the proposition of those who are in favour of continuing him in his magisterial functions. Now I will put it to you, from your knowledge of the mufassal and of these districts, when a man with magisterial functions tries to perform the more parental and more political functions, is he not hampered in his intentions because he knows he is a Magistrate?—He ought to be if he is a Magistrate.

18420. The very fact that this man, knowing he is a Magistrate, sees things which as a Magistrate he may have to adjudicate upon either directly or indirectly through his subordinates, means, does it not, that if he does his duty at all he has to keep a blind eye to much that he would like to observe?—That is so.

18421. Whenever our Executive officers who are Magistrates fully appreciate their position and their responsibility as Magistrates it really incapacitates them from being friends to the people of the district?—That is my belief.

18422. I understand from your written evidence under the Provincial head that you are not in favour of nomination at all?—No.

18423. But you would open the door through competition pure and simple?—Yes.

18424. You would reserve, however, the power of selection after competition provided that candidates have attained a certain standard of position in the examination?—Yes.

18425. So that Government would not be able to select individuals but be able to select communities?—Yes.

18426. That is your idea?—Yes, and they must take them in order of merit.

18427. That is what I say, "not select individuals"?—Yes.

18428. I want you to be quite clear, that is the proposal you bring forward?—Yes, and therefore because of the abuse in the past the marks allotted to candidates should be published just as they do in the Civil Service Examinations.

18429. Do you think that would be satisfactory to the various communities that you would like to see represented?—Yes, if as things stand it is desirable that members of different communities should have a reasonable and a fair share of these appointments I think the scheme that I have suggested would be the least open to objection.

18430. What would be the effect of a scheme like that as an educational incentive to what I may call the more backward educated communities?—In my opinion it would have an injurious effect, and therefore I have been very careful in the statement that I have made. I said if the claims of a special community have to be recognised in the present circumstances then only would I suggest this system. I think with the advance of education this system may in the course of the next ten or fifteen years be dropped in favour of an absolute competitive system, but for the present, and having regard to the views that some members of the so-called backward communities entertain, I should not be opposed to a system of competition and nomination in the way I have suggested.

18431. But you only propose it really as a temporary measure?—That is so.

18432. In answering question (104) you say that you would accept the arrangement as to pay of Provincial Service officers holding listed posts being two-thirds. I should like to ask you whether away back in your mind when you answered that question there was the idea that the cost of Government in India all round is much too high?—That is so.

18433. You have seen, I suppose, that various grades and sections and divisions have been coming before us during our sittings, all agreeing upon one thing if nothing else, that they should have more money, more leave and more opportunities to enjoy themselves?—Yes, I have.

18434. That is one point of agreement between European and Indian?—I have seen that and our view as the lay public, not the official public, is that the pay and emoluments of the Civil Service are much too high for the circumstances of India, and that if it were an open question I should certainly advocate a reduction all round.

18435. You agree, do you not, that a European-recruited service must be an expensive service?—Yes.

18436. Do you take this view, that it is but fair to the men who come out from England that they should have special pay?—Yes.

18437. Then does not a great difficulty arise that if you have listed posts which are similar in their responsibility to Indian Civil Service posts, if these listed posts are held by Indians receiving two-thirds of the pay, it is a grievance on the part of the Indians that their pay is not equal to the Indian Civil Service pay?—I should not think so, though I am aware that in this a difference of opinion is held by members of the Service. I feel that the scale of expenditure of the Indian public servant is less than that of his European colleague, especially of men who have lived all their lives in this country and have not been brought up on European ideas. Therefore it would be no injustice to them if their pay was two-thirds of the pay of the Civil Service.

18438. But is not all your influence brought to bear upon these men to become Europeans in their habits?—Not under the system as it now stands; it is not possible.

18439. You ask them to send their children to England for education?—Take the Judicial Service; a member of the Judicial Service does not get into these listed posts until he is about to retire and he is often not confirmed until his time for retirement has begun.

It is too late then for him to think of sending his children to England for education.

18440. But I do not think that is any answer to my point: irrespective of the position he holds, are they not told that in order to acquire a certain tone and a certain capacity their children should go to be educated in England? Are they not told that Oxford and Cambridge are the Universities through which every ambitious Indian ought to go, and so on?—Yes.

18441. And is not that an incentive to your people generally to adopt Western methods in their living?—That is so.

18442. Then is not the whole tendency now, particularly in respect to Government officers, irrespective of their nationality, to adopt Western methods and to encourage a form of life which can be only kept up by a Western scale of pay?—I will not go so far as that and say that is the tendency in the Provincial Civil Service to adopt Western methods of life, because they know they cannot afford it. If they could afford it probably that would be the general tendency, but now it is beyond their horizon.

18443. Do not they want to afford it, and is not that the reason why they have come before us asking for increases in pay?—Probably that is the reason.

18444. It is the old difficulty of trying to eat your cake and have it after you have eaten it. The English influence in India is Western: with large expenditure, entertainment, presentations at the Governor's levées, and so on, and then you come and say still I want to keep the pay low. Could you get us out of that dilemma at all?—I will ask you to take my answer from me as one who still believes in Indian ideals of life, which to me mean ideals of a simple life, and if the tendency of my countrymen is towards a more expensive, I will not say more extravagant, ideal, I should not be prepared as an Indian to encourage it.

18445. (*Mr. Sly.*) I want to ask you a question or two about your answer to question (9), dealing with the separate examination. You have objected to a separate examination firstly on the ground that the Indians getting in by a separate examination in India......—It is not a separate examination, but filling a fixed proportion. The question is "what would be your opinion with regard to filling a fixed proportion of vacancies recruited by means of separate examination."

18446. I want to have your objection to a separate examination, if there is one. Your first objection, I understand, is that men who get in not by a separate examination but on a fixed number of appointments would have what you would call a brand, a distinctive mark?—That is so.

18447. Was that distinctive mark operative in the case of Statutory civilians?—In a very marked degree.

18448. Do you think that brand was due to the fact that they were Statutory civilians, or due to the fact that they were men of inferior intellectual calibre who could not hold their own with other members in the Service?—It was owing to the consciousness that they did not comply with the same standard as their colleagues did in getting admission into the Service.

18449. Do you mean the same standard of examination or the same standard of work after they got in?—The same standard of examination.

18450. They had no examination?—There were two stages. The first stage was by nomination; then came the second stage by examination. The first few appointments under the statute of 1870 were by nomination. I say nothing of the men, but that was a hopeless failure, and that was in my mind when answering the questions put to me by Mr. Madge. The second stage, when they came in by examination, was not a failure, but then the men were looked upon as inferior to their colleagues of the Civil Service.

18451. If it were suggested that the best Indians of this country might be recruited to the Indian Civil Service by means of a separate examination, with the same conditions of salary, leave, pension, and in every way made a member of the Indian Civil Service, do you still think that the brand of inferiority would exist or be a matter of importance?—I will read the answer that I have given: "It would take away from the youth of the country the stimulus and inspiration of competing with the best products of English public schools and universities on equal terms."

18452. That is your second objection?—Yes.

18453. If open competition in England for Europeans and Indians were still maintained there would be no lessening of the stimulus at the present time, would there?—We who have been contending for simultaneous examinations say that because the present system does not give us sufficient facilities or opportunities, therefore its effect upon the Indian communities as a whole is very limited in extent, and if I may say so infinitesimal in quantity. That would continue.

18454. But you would be no worse off then than you are at present; you would be rather better off so far as the stimulus to education was concerned?—I do not share the opinion of those who think that because they were debarred by circumstances from availing themselves of the open competition, therefore some special provision should be made for them to get in. I think it would have a most disastrous effect upon our country.

18455. With regard to your scheme for a separate judicial service, I understand you are prepared to a certain extent to modify it, to the extent of admitting some direct recruitment from the Bar in India. Is that the effect of your examination by Mr. Justice Abdur Rahim?—No, that is not the effect. I said that if my scheme should be adopted I should not oppose this system foreshadowed by Mr. Justice Rahim in the questions he put to me.

18456. I think you stated that the recruitment by nomination of the High Court to the Provincial Civil Service gave fair satisfaction?—Yes.

18457. And I believe that the appointment of High Court Judges gives general satisfaction?—Yes.

18458. Then in regard to the appointment of District Judges, if those were appointed by the High Court, would that give satisfaction?—If they were appointed by the High Court probably there would not be much objection.

18459. We have had some evidence before us to show that there is dissatisfaction with regard to the appointment of High Court Judges. Have you any view to express on that point? You stated just now that the appointments had given general satisfaction?—Yes, I lay emphasis on the word "general." There have been appointments which have not received general assent.

18460. There is one point I should like to ask with regard to your answer to question (14). In dealing with the definition of a "Native of India," you wish to exclude a person of unmixed European descent? Why do you want to exclude that class?—Because he does not labour under the disabilities under which the Native of India is placed, and I do not think if there are any advantages in being a Native of India he should have them.

18461. What are the disadvantages that he does not labour under?—Under the criminal law of the country he is just the same as an Englishman from home; he enjoys all the rights and privileges. In reference to appointments and other things, work in various walks of life, he has, by virtue of his descent, a decided advantage over the Native, and therefore where the Native has got any privilege by reason of his being a Native of India he should not be allowed to participate with him on equal terms.

18462. I understand you wish to exclude the domiciled European in India from any privileges that the Native of India may enjoy under that Statute?—Yes.

18463. With regard to the question of age limit for the open competition, you suggest that the Indian should have one year extra?—If it is possible. The question was put to us as to whether we would make any difference in the age. I did not lay much stress on it, but I say it would be in some degree removing the handicap which is now placed upon the pure Native of India by reason of his having to undergo an examination in a foreign language.

18464. If simultaneous examinations were introduced, would not you still consider that that extra year should be given to the Indian?—Yes; not that I would insist upon it, but I think it would be fair to the Indian to have one year extra. The intricacies of the English language oftentimes baffle us and take a great deal of time to study.

18465. You have made certain suggestions in regard to the changes in the syllabus of the subjects for the examination. You wish Pali and Persian to be included?—Yes, except in the final examination.

18466. You wish Sanskrit and Arabic to be marked on the same level as Greek and Latin?—Yes.

18467. You have also suggested that Hindu and Muhammadan law should be included. Do you include it as one subject or two subjects?—It is generally included as one subject.

18468. Do you wish Indian history to be included?—Yes.

18469. And marked on the same standard as other history?—Now that the researches of scholars have brought forward such a large amount of material in reference to the past periods of Indian history as well as with reference to the period since the British connection with India, it would not be doing an injustice to put the study of Indian history on the same footing as the study of any other period of European history or of Roman and Greek history.

18470. The total effect of those changes, as far as I have been able to gather them, are that for those purely Indian subjects there would be a maximum of about 4,400 marks, the maximum prescribed being about 6,000. So that the effect would be that Indian candidates would, if not wholly, almost wholly, be able to pass that competitive examination in what may be termed almost purely Indian subjects. Do you think that is really desirable having regard to the necessity, which I think you admit to some extent, of maintaining Western education and traditions?—I have not added up the marks, but I assume that what you state is correct. I do not think that boys who enter the Indian Civil Service will take up only Indian subjects to the exclusion of subjects which would give them a knowledge of European history or European languages. For instance, they would have to learn English in any event. Your calculation of 4,000 marks means a combination of Arabic, Sanskrit, Pali and Persian, but that is an impossible combination; you could only combine Arabic and Persian or Sanskrit and Pali.

18471. With regard to the Provincial Service, you would only admit class representation until such period as the Muhammadans and perhaps any other backward class had increased their educational standard?—That is so.

18472. Do you know that no Muhammadan got in by open competition during the period that it was in force?—They passed examinations, but they did not get into the highest places. Since then Muhammadan education has made very great advance, at least in my province.

18473. We can test that to a certain extent by the Indian Civil Service examinations. For the last ten years in the Indian Civil Service I believe only two Muhammadans have got in, one of whom was a Bengali Muhammadan and the other a Bombay Muhammadan. There has not been a single success from the Punjab or Rajputana or Central India?—There has been a wrangler from the Punjab.

18474. I mean in the Indian Civil Service examination?—That is quite possible, but that is not a fair test. Tests ought to be results of the Indian universities for the Provincial Service.

18475. You have suggested that the Bengali should have the right to appointments in Bihar and Orissa and Assam?—Yes.

18476. Can you tell us why that is recommended?—He has been enjoying that right up to now.

18477. When it was one province, but when a system of separate Provincial recruitment is suggested why should he continue?—Even when it was one province appointments in Bihar and Assam were given by preference to natives of Bihar and Assam. When there were not sufficient candidates available of the required standard then those appointments were given to Bengalis. I do not ask for anything more. So long as material is available let that material be utilised, but when it is not available then the Bengalis, who have been so closely connected with Bihar and Assam, should have preference over Natives of other provinces.

18478. You modify it to that extent?—Yes.

18479. (*Mr. Gokhale.*) You have said that you object to members of the European domiciled community participating in any special concessions which may be made to the people of India as Indians. You object because you say they do not share in our disabilities?—That is so.

18480. If they were subject to the same disabilities as the Indians you would not object to their participating in the concessions?—There is another aspect. To them English is the mother tongue; to us it is not; and consequently you can never put them on the same level as ourselves.

18481. I am not talking of examinations, but only of the general conditions of the two sides?—If they suffer the same disabilities as we do, they ought to have the same privileges.

18482. You were asked a question as to what advantages they have over Indians. Have you ever thought that they can send their sons to England and enter them for the Army and Navy and that Indians cannot do that?—Indians cannot do that.

18483. Therefore they have special advantages as Europeans?—Yes, and they can enlist as volunteers here.

18484. And they are free from several disabilities which Indians have to labour under?—Yes.

18485. Until that is redressed you think that the concessions which Indians get, after long agitation, should be confined to themselves?—That is my opinion.

18486. I want to ask you one or two questions with regard to what you said to Mr. Madge. You were asked whether you had moved about in the districts with District Officers, and you said no. I suppose you meant that you had not moved about in the company of District Officers?—Yes.

18487. You did not mean to say that you had not moved about on your own account?—No, or on other people's account.

18488. As a lawyer?—Yes.

18489. But a man like yourself, living under the administration, with friends and relations in the mufassal, and visiting the mufassal, can surely have no difficulty in understanding how District Officers do their work in the district?—No.

18490. Is it necessary for you to accompany a District Officer?—No: I get to know very easily what they are doing.

18491. With regard to the combination of judicial and executive functions, it was put to you whether sometimes heads of districts are not able to settle disputes, on account of this combination or because they possess these powers, and you said you knew of cases where disputes had been settled by District Officers. Supposing these powers they possess lead people at times to listen to their advice more than they would otherwise do, still as against that you undoubtedly have to recognise the abuses resulting from the system. Which is greater, the good that may be occasionally done or the evil that springs from these abuses?—In the first place, the supposition that you have made, that the possession of these powers helps them to bring about settlements to a greater extent than they would be otherwise able to do if they had not combined powers, is a supposition which is not altogether correct.

18492. I thought you admitted that in reply to Mr. Madge?—No, I did not admit that; I said it was oftentimes difficult.

18493. In any case, in your professional capacity you have come across cases of abuse resulting from the present system?—Both as a citizen and in my professional capacity.

18494. Would you say that the occasions on which such abuses take place are numerous or comparatively rare?—They are by no means comparatively rare. I will not say of some districts that they are very numerous, but I will say that the feeling of insecurity is very great.

18495. And when these abuses result, what effect does that produce on the people? Is there not a sense of helplessness against oppression or wrong, or is it just like any ordinary miscarriage of justice?—It touches the people in their everyday life, and consequently there is a feeling of irritation and discontent and helplessness.

18496. Just one question about the cost of the proposed reforms. As far as I gather, the central point of your answers to the question as to whether a separation of the Judicial and Executive functions would necessarily lead to much increased cost is this. First, the total amount of work would be the same?—Yes.

18497. And if the present establishments are fully occupied then a mere redistribution of duties cannot really lead to a very much increased charge?—That is so.

18498. There may be some increase necessary?—But not an appreciable increase.

18499. If the present establishments are fully occupied?—Yes.

18500. With regard to the proportion of Englishmen in the service, you say in your answer to question (24), "In the Executive branch I should put the present minimum at half and in the Judicial at one-third." Higher up you say: "I consider that in the present circumstances a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration." You are a lawyer and I want to have your opinion as a lawyer, if you are prepared to give it here. You know the Statute of 1833?—Yes.

18501. How far would the actual laying down in black and white of a definite proportion as the minimum of Europeans in the service be compatible with section 87 of that Statute?—It would not be compatible.

18502. When you say there should be a minimum you do not mean to amend the Statute, do you?—No. As a matter of policy and under the present circumstances of education and other elements that have to be considered it will be desirable to have this number, and without laying down any hard-and-fast rule I am confident that for many years to come this minimum will not be reached. It will be always above that minimum.

18503. May I take it that your personal opinion is that under the present circumstances so many Europeans are necessary in the service, but you would secure that as a result of practical arrangements and not by laying down anything definite in black and white?—That is my view.

18504. You would not interfere with the Statute of 1833?—Under no circumstances.

18505. That Statute applies to all offices, does it not?—Yes.

18506. So that the same answer would hold with regard to the various communities—Hindus, Muhammadans, and others. Your opinion then is that you would adopt in practice such arrangements as would secure for the service such a number of Europeans as may be thought to be necessary at a certain time?—Yes.

18507. And as regards Muhammadans too the number that is thought to be necessary at a certain time?—Yes.

18508. But you would not lay down any definite numbers as the minima or maxima?—I would not.

18509. That would be your meaning?—Yes, either for the Europeans or the Natives.

18510 You have stated in reply to question (27), "The people consider that Natives of India have generally proved as efficient as their European colleagues." What is your own opinion, apart from the opinion of the people?—I do not separate myself from our people. I was aware that amongst the Europeans, or a large section of them, a different opinion was entertained, but amongst the Indian people that opinion is not entertained.

18511. You mean your opinion is the same and you think that is the opinion held by the majority of our countrymen?—Yes.

18512. You have known in your time many Indian civilians?—I have known practically all the Bengali civilians.

18513. English and Indian?—Many Englishmen and all the Bengali Indian civilians.

18514. And your opinion is based on your knowledge of them?—On intimate personal knowledge.

18515. (*Mr. Chaubal.*) With regard to the question of the cost of the separation of the Executive and Judicial functions, assuming for a moment that the carrying out of any scheme does involve the State in a larger expense, are you aware of the revenue which the Government takes from court-fees at present?—I am aware, but just now I cannot give you the figures. They make a very large profit.

18516. Is it not your impression that there is a very large income realised from court-fees?—It is within my knowledge that it is so in Bengal. I am speaking only from memory and subject to correction, but when I looked into the figures some years ago there was a surplus of about 36 lakhs from court-fees in Bengal alone.

18517. On first principles do you think the State should make a profit on the administration of justice?—I do not think it right.

18518. Therefore assuming there is any additional expenditure involved in working out a scheme of separation for the more efficient administration of justice, the large income available from court-fees might be utilised?—There should be no objection to that income being diverted to other purposes. In fact I think the objection should be the other way.

18519. (*Sir Theodore Morison.*) We have had a good deal of evidence in favour of simultaneous examinations, and it has been countered by other evidence which practically advised the Commission to leave things exactly as they are. Between this evidence on each side I am in somewhat of a difficulty. Suppose the Commission were to come to the conclusion that it would not or could not recommend the introduction of simultaneous examinations, what would you say that it should recommend as a *viâ media*?—If I had any influence on the Commission I would certainly press upon their attention the question of simultaneous examinations, but if I failed, as I hope we shall not fail, then I would say: justify your existence before the Indian public and do not let them go on under the impression that these Commissions only mean hopes deferred. Give us in any event, if you can, the separation of the Judicial and the Executive functions. That would be a boon for which India would be grateful to you. The Judiciary should be entirely separate from the Executive.

18520. There are two answers there: you recommend the separate recruitment of the Judicial Service?—Yes.

18521. And also the separation of the Judicial and the executive functions?—Yes.

18522. You class that as one?—I class that as one.

18523. (*Mr. Mukherji.*) You have outlined a scheme for the separation of the Judicial and Executive functions under which there will be little additional cost to the Government. Have you thought of subdivisions where the functions are combined in one man?—Yes, I have thought of subdivisional officers, and I have in mind the fact that if the criminal judicial work of the Subdivisional officer were taken away it would be possible so to arrange his jurisdiction as not to entail any appreciable extra cost upon the State. Of course I have not gone into details, but as you are aware, Mr. Dutt did give us some details taking the subdivision into consideration, and he came to the conclusion from his experience as a District Officer and a Commissioner that an increase in the cost would not be any appreciable burden upon the State.

18524. (*Mr. Sen.*) Do you remember there was a debate in the Bengal Legislative Council on or about September 10th, when a resolution was moved for improving the pay and status of the Provincial Judicial officers?—Yes.

18525. May I be permitted to say that in that debate you criticised the attitude of the Government in not paying attention to the grievances of a class of officers whom you called the most deserving?—Yes, I did say so.

18526. You said that although the work of most of these judicial officers was very heavy and onerous yet the pay and promotions were not commensurate?—I did say so.

18527. You further said that the Munsif becomes a Subordinate Judge of the third grade at the age of 51 or 52 and then he goes through the grades rapidly in the course of three or four years, and you then summed up by saying, "They come and go, they have no time to stay." These are grievances which are substantial?—Certainly.

18528. From your speech in the Bengal Legislative Council may I venture to say that your opinion is that Provincial Judicial officers have justly earned the highest reputation for devotion to the service and integrity?—Yes, for devotion to the service, for integrity and for ability.

18529. I do not quite follow you in your reply to Mr. Sly's questions about the Provincial Judicial officers being appointed?—Mr. Sly's question was whether people were satisfied with the appointments made by the High Court of the Provincial Judicial officers, and I said that they were satisfied.

18530. In your answer to question (13) you have recommended a separate method of recruitment for the Judicial branch, and you have suggested that members of the Provincial Judicial Service may, when they are Munsifs or third grade Sub-Judges, be taken into this branch by selection. In reply to question (36) of the Indian Civil Service and question (19) of the Provincial Civil Service you say that the complaint has been that the appointments which the last Public Service Commission recommended should be thrown open to the members of the Provincial Civil Service have not been so thrown open. Are you not aware that the recommendation of the last Public Service Commission was that one-third of the District and Sessions Judges should be included within the category of listed appointments?—Yes.

18531. Now supposing a scheme is devised whereby a third grade Subordinate Judge or a first grade Munsif is vested with the powers of an Assistant Sessions Judge, and has the chance of becoming a District Judge at a comparatively early period, would not you reserve the whole one-third for the Provincial Judicial Service?—As one who has had experience of the Judicial Service I should have no hesitation.

18532. Do not you think it would be a great improvement if we had a time-scale system of promotion introduced, or the grades in the Provincial Judicial Service were so adjusted that a Munsif might get Rs. 500 at about the age of 44 or 45?—In answer to the questions I have suggested a time-scale, and I have said that members of the Subordinate Judicial Service should rise to a grade where the pay is Rs. 500 to Rs. 600 in about twelve years. You will find that in answer to question (24).

18533. Suppose your scheme is not after all approved, and the Judicial Service continues to be filled up by members of the Indian Civil Service, would you in that case insist that Vakils and Barristers should be appointed as Districts and Sessions Judges?—Yes, I would.

18534. Do you think that the Barristers and Vakils who have already made their mark in the profession would be sufficiently attracted by a District Judgeship in the mufassal?—I think I ought to clear the ground before I answer that question. It is not always the man who makes a mark in the profession who is the best in the profession, or amongst the best. As you yourself must have noticed, many capable men at the Bar, it may be for want of opportunities or other circumstances into which I need not go, have not been able to secure a good practice, but they are nevertheless capable men, and there will be ample materials both in the Vakil Bar as well as amongst members of the English Bar practising in India, apart from men who have already made their mark in the profession, to recruit from among them some appointments now held by members of the Indian Civil Service.

18535. Do not you think there will be some difficulty of selection?—As I said, there is always a difficulty and danger in nomination.

18536. Do you remember that the last Public Service Commission recommended that Government should retain the power, in very special cases, of making direct appointments to offices in the higher service, and that no member of the Bar should be appointed to a higher post in the Judicial Service unless he was a man of exceptional ability who had been in actual practice for a period of not less than ten years?—In the first place, assuming that my scheme is not adopted, it will be no injury to the members of the Provincial Judicial service if a certain number of appointments is reserved for them and it will be a matter of considerable advantage to the public if other appointments are given to men fresh, so to say, from life, coming into the Service. They bring into the Service a freshness of mind which is of great use not only to the public but to their colleagues in the Service. As you know, in England there have been very eminent Judges who have not been eminent counsel at the Bar. Take for instance the case of Lord Blackburn. I believe there are few English names of higher reputation as a Judge than his. When he was appointed he was a comparatively unknown man at the Bar so far as practice was concerned. Take even the Munsifs that we appoint. You will admit that when they come they have hardly had any practice, but many of them have proved very efficient and admirable officers. If you can catch from the Bar men who show an aptitude for the work and who possess qualities which are essential to the formation of a good Judge, knowledge of law and general efficiency, I think it would be to the benefit of the public that some appointments should be thrown open to them.

18537. But the difficulty is that if so many appointments are not reserved for Barristers and so many appointments are not reserved for members of the Provincial Judicial Service, and there is a keen competition between the two, this may cause a great apprehension to members of the Provincial Service and impair the efficiency of that service to which you have borne testimony?—Reserve a certain number of appointments for members of the Provincial Judicial service: I should not like members of my profession to poach upon your Service, but let them have fair play.

(The witness withdrew.)

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Written answers relating to the Indian Civil Service.

18538 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I was appointed after the open competition of 1903, and have been employed in Bengal since November 1904. For about two years I was Under-Secretary in the Appointment Department of the Government of Bengal, which deals with the *personnel* of the Indian Civil Service and Provincial Civil Service. Since April 1912 I have been Registrar of the High Court, and in that capacity many matters concerning the Judicial Services pass through my hands. I accept the present system as generally satisfactory.

18539 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—A system of simultaneous examinations would involve the abandonment of the principle on which the whole administration has hitherto rested, and in my opinion must rest, viz., that in order to preserve the British character of the administration the posts of direction and control must remain, broadly speaking, in the hands of Europeans who must in practice form an organized service. If the system of simultaneous examinations were introduced, the British character of this administrative *corps d'élite* would be destroyed. In the second place, a purely intellectual test is not the best method of selecting Indians for the public service. The qualifications of the administrator are not only intellectual but moral; the former alone can be tested by examination The purely intellectual test works well enough in the case of young Englishmen who have received a liberal education, because in their case it is generally speaking safe to assume the necessary moral characteristics. The same assumption cannot be made in the case of Indians. In their case I consider a further test of character is required, and that the only practical test of character is achievement in the public service. In other words, the Indian element in the higher posts should be obtained by promotion as at present. In the third place, the payment of Indians recruited in India at the present Civil Service rates would be, in my opinion, unjustifiable. These rates are fixed with reference to the necessity of attracting suitable Europeans; they are excessive for Indians. It is sometimes suggested that there are classes in India available for administrative work who find the attraction of the present Provincial Services inadequate. I believe the suggestion to be false. As in India, so in England, the wealthy and the men of highest ability among those who have to make their way are not attracted by an official life, but prefer more independent careers. Excluding these, I consider that the Provincial Services in Bengal attract the best talent available. In this connection the failure of the Statutory scheme to attract a better type than the Provincial Services is instructive. In the fourth place, I believe that it would be impossible in practice to maintain simultaneous examinations of the same standard in India and England. The present examination is adapted to the curricula of the English Universities; if candidates were permitted to sit for it in India, it seems to me inevitable that in a few years a demand would arise for the adaptation of the examination out here to Indian conditions, and it would be hard to resist such a demand.

18540 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—My first three objections to simultaneous examinations apply. There would be, it is true, a guarantee against too great a reduction of the British element, but the objection of principle holds that the British character of the administrative *corps d'élite* would be destroyed. The system in fact would be a compromise, which would satisfy no one; it would introduce into the service an alien element to which the stigma of inferior qualifications would always attach.

18541 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am opposed to the admission of Indians recruited in India to the Civil Service on any system whatever for reasons indicated in my answers to questions (7) and (9).

18542 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I am opposed to separate recruitment for the Judicial branch of the Civil Service. Provision can easily be made for improving the Civilian judge's knowledge of law (see below). The other requisite element in his equipment, knowledge of the social and economic condition of the people, can best be obtained by training in the general line as at present.

18543 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India," of parents habitually "resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I would extend the definition to include the subjects of Native States.

18544 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The determining factor is the question whether it is desirable that Civilians should have a normal University education. In my opinion it is important that they should. The University must precede the open competition; a University education in its full sense is not to be confused with and cannot be obtained from a special University course undertaken for professional purposes. Subject to these considerations it is advisable that men should start work as early as possible, and that the period between the end of the University course and the examination should be reduced to a minimum in order to avoid cramming. The limit was raised in 1906 to 22—24 on 1st August principally in order to assimilate the limits for the Home and Indian Service; I do not understand that there is any advantage in the assimilation sufficient to outweigh the disadvantages. I would therefore reduce the age-limit to 21—23 on 1st August. This would shut the examination to a few Oxford Greats men who are at present eligible, but would leave it open generally speaking to men who had completed a full Honours course at a University. I am opposed to any limit between the ages of leaving school and University; it would limit the field of recruitment and drive men to the crammer's.

18545 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—It must be remembered (*i*) that the men of the former period have been to some extent weeded out, *i.e.*, many of the less successful have retired, while those who remain have the benefit of twenty years' experience; (*ii*) that the men of the latter period have not yet reached the positions of authority which are the final test. I doubt therefore if any effective comparison can be made; the choice between the two systems of training must be based on other considerations.

18546 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—There are indications that the quality of the recruits is deteriorating. That they are not more marked I attribute to the fact that considerations which would contribute to that result are not yet sufficiently appreciated in England; I refer to the decline in the stability, importance and pecuniary attractiveness of the service. It is the fact, however, that a considerable proportion of the members of the service are not prepared to advise relatives and friends to enter it, and this state of things is bound to react on the quality of the recruits.

18547 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 187 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—I understand the schedule, read with the Statute, to be a formal declaration of the principle that the posts of direction and control in the general administration, including the judicial administration, should be held by British agency. As such I consider that it should stand. (There are a few posts of a special character included in the schedule, with regard to the retention of which I am not in a position to express an opinion.)

18548 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I do not consider it necessary at present to lay down any general proportion as between Europeans and Indians for the whole of India. It may become necessary if the Indian element in the Indian Civil Service increases to such an extent as to modify its character. But in any case conditions vary so greatly that proportions must be fixed province by province. In Bengal, for example, Natives of India hold 17 per cent. of the posts scheduled as Indian Civil Service posts (including Assistant Sessions Judges), whereas the proportion for India as a whole is about 11 per cent. In my opinion the political condition of Bengal during the last few years does not warrant such a difference.

18549 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—I accept the present system in the main. As regards appointments to listed posts, I believe that better results would be obtained if selections were made at a much earlier stage of service. I would list the inferior posts which are at present merged in the Provincial Executive Service, and I would similarly list some of the posts of Assistant District and Sessions Judge which should be created for the training of Judicial officers [(questions (64) and (66)]. I would appoint promising men on probation to those inferior listed posts in time to enable them to obtain district charges by their fortieth year or earlier.

18550 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—In common with most of my contemporaries I regard the present probationary course as little better than a waste of time. A probation of some sort, however, is desirable, and there would be much hesitation in weeding out the inefficient, if it were passed in India. On the other hand men of 24 or 25 are eager to get to work, and every year at home detracts from their adaptability. These considerations point to a one year's course at home, and an examination of the subjects to be studied (the main factor in the case) leads to the same conclusion. Before the recruit can begin work he must acquire a knowledge of (i) law, (ii) the vernaculars. The whole work of the service, executive and judicial, is legally ordered, and there is no doubt that the thorough grounding in law given to candidates prior to 1891 was extremely valuable, and that the service has suffered from its abolition. At present candidates attempt a parrot knowledge of the Codes of Criminal law and Evidence; the work is distasteful, and a detailed knowledge of the codes such as is attempted can only be acquired by practice. What is wanted is a grounding in jurisprudence and the principles of the English law of Evidence, and Criminal law, combined with practical experience of the working of the English Courts; notes should be taken and used by the lecturers as the basis of discussion and instruction. On the other hand, the vernaculars can best be learnt in India, subject perhaps to a grounding in grammar at home, a matter of little time to candidates acquainted with other languages. Here again the books read at home are largely a waste of time. I would therefore, while retaining a one year's course at home, confine it almost entirely to law; a grounding in one vernacular and the outlines of Indian history could be included.

18551 (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—No, in London, for the following reasons:—(i) The course should be principally law, including attendance at Courts. (ii) The teaching could be improved by centralization (iii) A year of comparatively relaxed effort at the University tends to arrest the candidates' development; they would profit by the more practical atmosphere of London.

18552 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I am opposed to any disciplinary institution; men of 24 or 25 must be trusted to look after themselves. There should be some institution of the nature of a club, however, where candidates could meet, and lectures of general interest on Indian subjects might be given.

18553 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present system of training in districts under selected Collectors is, I think, satisfactory. An attempt, however, should be made to provide more efficient teaching in the vernacular; the teachers available at present, in my experience, are mostly out-of-work pleaders with little idea of how to teach. I think it would be worth while to encourage members of the Provincial Educational Service or others to qualify themselves as teachers (the Board of Examiners could probably undertake this).

18554 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I doubt if there has been much deterioration in the last twenty years or so, though there is considerable room for improvement. The provision of better teaching would help to improve matters [*see* question (60)]. For the rest the matter has received considerable attention in recent years, and I think that recent changes in the rules do all that is possible—(i) By stiffening the departmental examinations and especially by introducing text-books. Considerable changes have recently been made in these examinations by the Government of Bengal, and I consider that they are now suitable. (ii) By improving the attractions of the optional language examination, and in particular by introducing a new "Proficiency" grade intermediate between the "Higher Standard" and "Proficiency" examinations.

18555 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in Barristers' chambers or other) and what conditions do you propose? (65). Do you recommend any special course of study in law in India for officers selected for the Judical branch? (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—(64—6). As regards the Service generally see question (43). As regards the Judicial branch, the officers of that branch are unanimous in considering that steps should be taken to improve their knowledge of law. The defects of the present system are—(i) That junior officers with no knowledge of civil law are appointed to sit in appeal on the work of provincial officers of twenty years' experience. (ii) That officers are left to pick up their knowledge of law as they go along; they have no grounding in general principles to serve as framework to their reading, and their duties in most districts leave them little leisure or energy for systematic reading. They are also, perhaps, out of touch with the Bar, with whom our system requires them to work in co-operation. To remedy these defects something on the following lines is required:—(i) Officers should elect for the Judicial branch at an earlier stage than at present, viz, in their fifth or sixth year, after holding charge of a subdivision. (ii) They should then be appointed Assistant Judges for a year, to deal with original civil work. (iii) They should be granted study leave for one year, to read in Barristers' chambers; they should also be required to read for the Bar, since it is desirable that they should hold the status of Barrister. The leave should count for pension; the fees for reading in chambers and for the Bar examinations should be advanced on condition of securing at least a second class in the examinations, and furlough pay should be granted *plus* some special allowance, as in the case of Indian Medical Service officers on study leave.

18556 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I doubt whether a special Government examination would carry much weight; I am of opinion that the money would be better spent in assisting officers by rewards or the grant of study leave, to read for law degrees.

18557 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—I consider that there are grounds for improving the pecuniary conditions of the service The value of the rupee has gone down, while the cost of living, both in India and England, has gone up. Officers join at a later age; they consequently marry earlier in their service than they did, and attain to easy circumstances at a later age The pay of the other Indian services has been raised, while that of the Indian Civil Service has remained stationary. Meanwhile the attractiveness of the service in other directions has declined. The dissatisfaction of the younger members of the service is already beginning to deter recruits. These general considerations may be read with the specific recommendations made below.

18558 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—The service is recruited to fill certain specific posts, the duties of which vary in importance and responsibility; a time-scale would therefore be unsuitable, and would moreover tend to deaden ambition. Its only advantage is to avoid the undesirable results of blocks in promotion, which are sometimes unavoidable; this province has suffered from them in the past. I consider that a time-scale should be adopted as a regulating minimum; if salaries fell below such scale compensating allowance should be given.

18559 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—The present salaries are sufficient to attract suitable officers to the Provincial Services, and their expenses are regulated by an Indian domicile. I doubt if any increase is called for.

18560 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Most officers do not take their full furlough. I do not advocate its reduction however. The maximum is an attraction to recruits, and permits officers to keep a reserve in hand against emergencies; some officers, moreover, take the full amount.

18561 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I recommend the abolition of the maximum limit of £1,000, which operates hardly in the case of senior officers.

18562 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable? (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and, if so, what, and what remedy do you suggest? (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met? (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—(112-5). I accept generally the recommendation of the Decentralization Commission that the existing restrictions on the grant and combination of leave earned should be abolished, and that officers should be allowed to draw on the total amount of leave at their credit subject only to the convenience of the Administration.

18563 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by this Government and by the members of the Indian Civil Service? (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—(118-9). A system of equal annuities (except for a few of the highest appointments) is generally preferred to a system of varying superannuation pensions, as tending to a better flow of promotion. The system of contributions, however, operates unequally, and I consider that the relief which general conditions warrant [question (92)] can best be given by the abolition of contributions, and the grant of a £1,000 non-contributory pension.

18564 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11 years' actual service as Judges? Do you recommend any change in the present conditions?—(i) The pension contributions of High Court Judges should be abolished on appointment, or at any rate as soon as they have earned their full Indian Civil Service pension. (ii) Men who joined the service after 1891 will find it impossible to earn the extra £200; a Judge cannot as a rule expect promotion to the High Court until he has put in 25 years' service, and men who joined after 1891 will then be 50 years old, and will have to retire under the 60 years' rule before completing 11½ years. I consider that Civilian Judges should be entitled to the extra pension of £200 after five years' service in the court.

18565 (122). Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—Yes; to officers appointed by the Crown, after five years of office, viz., to heads of provinces (£1,500) and to Members of the Viceroy's or Provincial Councils (£1,200).

18566 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. Such officers are very few, but provision should be made for such cases. I recommend the following conditions:—(i) Enquiry should be made in the first instance by a special Commission, and not by the Secretariat; the Commission's report should be sent by the Local Government through the Government of India to the Secretary of State, who should pass final orders. Such a system would be regarded by the Service as preferable to any system of appeal. (ii) The amount of pension should be the same as for retirement on medical certificate [*see* question (125)].

18567 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular what is your opinion of the present rules regulating voluntary and compulsory retirement?—I consider that the maximum medical pension, £700 after 25 years' service, of which less than 21 have been active, is a temptation to unfit officers to stay on at the risk of a break-down. I understand that in 1901 the Indian Civil Service Association of this province recommended an improved scale, rising to £945 after 24 years' service; I consider this a fairer maximum.

18568 (130). In particular, do you approve the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—The social conditions of the two classes are so different that I doubt if rules fair to both could be devised.

MR. H. T. CULLIS called and examined.

18569. (*Chairman.*) You are Registrar of the High Court of Calcutta?—Yes.

18570. You desire to put in a paper* that has been written by the Civil Service Association?—I have been asked to tender a letter written by the Civil Service Association.

18571. We shall be glad to receive it. I understand it deals with the conditions of pay, pension, etc.?—Yes, the internal conditions of the Service.

18572. Does the Association represent the whole Civil Service in Bengal?—Yes, and in Bihar and Assam. I am not prepared to say that every member of the Service in those three provinces is a member of the Association, but the great majority are.

18573. This represents the whole body of the Association?—Yes. I should perhaps say with reference to this that the Association did not expect it would be necessary for it to be handed in through a member of the Association, and have not authorized me to represent them in cross-examination, so that I am not authorised to speak on their behalf with reference to the letter.

18574. You are opposed to simultaneous examinations and you give your reasons in answer to question (7)?—Yes.

18575. You are also opposed to separate examinations?—Yes.

18576. And your grounds of objection are that the system would be a compromise which would satisfy no one, and that it would introduce into the service an alien element to which the stigma of inferior qualifications would always attach?—I mean an element of a different type.

18577. Would not this inferiority depend upon the standard of the examination? If an equal test was held under simultaneous conditions would you still say it would suffer from the brand of inferiority?—No, not if it were really on an equally high standard with the open examination in London.

18578. I see from your answer to question (13) that you are opposed to the proposal to separate the recruitment of the Judicial and Executive branches?—Yes.

18579. On what grounds?—I think it is a practical question. Assuming that a considerable proportion of the posts of District and Sessions Judge are to be held by Europeans, I think in practice you will make more certain of getting men of the necessary ability by taking them through the ordinary open Civil Service Examination. The only practical alternative would be to offer posts in India to men at the English Bar who were just commencing work at the Bar. If you took men of seven or ten years' service at the English Bar, I take it you would only get failures, and if you took men at the very commencement of their practice you would not have the same guarantee of ability as you have in the case of men who have passed the open examination for the service as now constituted; moreover, you would have to put them through practically the same course of training on their arrival in India as the young civilian has to go through at present. At least that is my opinion. In the second place, I think you would considerably reduce the attractions of the open examination. You would get a narrower field for selection to the Service. It is a distinct attraction at present that the Service offers diverse lines of employment.

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* *See* Appendix No. V.

18580. You say you would put them through practically the same training?—It would be necessary for a junior English Barrister coming out to obtain a knowledge of the language, a knowledge of Indian Law, a knowledge of the conditions of the mufassal, of the economic and social conditions of the people in the villages. It is precisely those lines of instruction which the young civilian has to follow during his first few years in the country. I am not able to conceive any practical plan for instruction on these lines very different from that which is followed by the young civilian at present.

18581. Do you regard the training that the civilian gets when he comes here as sufficient to enable him to discharge the work satisfactorily?—No, I think his training is defective on the legal side. Before a European can be an efficient District and Sessions Judge he requires a certain legal training and a certain knowledge of the social and economic conditions of the country, under which I include a knowledge of the vernaculars. The civilian Judge gets the latter, but he is lacking in the former.

18582. I suppose a knowledge of the social and economic conditions of the country and a knowledge of the vernaculars could be acquired just as readily by an officer recruited by an entirely separate examination?—Just so, with perhaps one exception to which I attach some importance myself. I think it would be very desirable for every officer who has to go into the Judicial Service in India to have some knowledge of settlement work. Judging from my own experience I should say that is a very valuable form of training, and it is distinctly executive work. Of course that might be arranged for.

18583. You see very great advantages in a judicial officer who is going to be a Judge spending some years in the Executive branch?—Yes, because I think it is very difficult for any Englishman coming out to India to learn the things he must learn before he is capable of taking his seat as a District Judge, without practically discharging the ordinary duties of a junior executive officer. I do not lay any stress on the fact that such duties are executive in character.

18584. You lay special stress on his having experience of settlement work?—Yes, I lay special stress on that. Agriculture is the sole industry of the country, practically speaking, and one gets a knowledge of the internal conditions of agriculture in the course of settlement work.

18585. A great deal of litigation relates to settlement work?—Yes.

18586. In answer to question (25) you say you would list the inferior posts which are at present merged in the Provincial Executive Service. What is your reason for taking these posts out of the Provincial Service?—It fits in with the proposal which I advocate that officers should be selected from the Provincial Service for appointment to listed posts at a considerably earlier stage than at present, and it would also, I think, be a source of satisfaction to the Provincial Service. It is a mere question of name, but they would like to feel that officers who were in training for listed posts shared the titles enjoyed by junior Civilians.

18587. You think the Provincial Service would be pleased?—I think they would be distinctly pleased with it.

18588. You would place these posts in exactly the same position as the rest of the listed posts?—Yes, they would be filled by men in training, men who were selected with the view to promotion to the superior listed posts.

18589. Then in answer to question (99) you say you object to a time-scale as being unsuitable and tending to deaden ambition, but I rather gathered from a subsequent paragraph in your answer that you would adopt the system whenever there was a block in promotion?—Yes, I would simply have a time-scale in reserve to be employed when there was a block in promotion.

18590. That is the object of a time-scale, is it not?—That is so; it is not required in the ordinary way.

18591. Do you think it is required in Bengal?—Not at present.

18592. There is no undue congestion?—No.

18593. You do not specifically recommend any increase in pay, but you would like to see the service made attractive by charging the whole of the pension to the State?—Yes.

18594. Have you worked out what expense that would entail?—I have not. It is very difficult to get any figures relating to the present annuity system.

18595. (*Sir Theodore Morison.*) In answer to the Chairman you said that the Barrister would have to be trained in the same way as the civilian?—Yes, practically.

18596. That is to say, he would have to have a knowledge of the country, a knowledge of the language, and some experience of the administration such as a civilian gets in his first two years of service?—Yes, in his early years of service.

18597. But do not you have with regard to the Barrister even then one advantage which you have not got in the civilian, that he has a considerable knowledge of law? You say in answer to question (64) that junior officers with no knowledge of the Civil Law sit in appeal, and therefore you recognise that point?—Undoubtedly.

18598. According to your scheme you have to give an additional training to the civilian which is not necessary for the Barrister?—That is so.

18599. And that is going to cost a good deal of money?—Yes.

18600. That is my difficulty. If you have a man who has trained himself at his own expense you have to find strong reasons for not employing him and going to considerable expense to train a man for the job?—That is so. I fail to see how you are going to select the junior Barrister in such a way as to ensure the same general standard of ability at the outset as you are certain of in the men who have passed the open examination for the Civil Service as it is at present. You must either have a system of nomination of some kind or selection by some sort of board at Home, which I think is obviously open to very grave dangers, or you must have a separate examination as has been suggested. To have two examinations I think is undesirable if it can be avoided. I think you probably attract a wider field and make sure of a higher standard of ability by holding an examination open to as many men as possible.

18601. You ensure by the present system a high intellectual level, and you think it would not be possible to secure that by taking men who have had some practice at the Bar?—So it seems to me. I should say from my knowledge of junior Barristers in England that young men who are of the average level of ability would be very shy about coming out to India because they have a chance of better things at the Bar.

18602. We have all known contemporaries of ours who have gone to the Bar and have drifted into other things, although we thought they were able men who should have done very well?—That is so.

18603. Your difficulty is that you do not secure the same intellectual standard?—That is the main difficulty.

18604. Why do you think it would diminish the attractiveness of the open competition?—I think it is one of the principal attractions of the Service, as now constituted, that it affords openings for many kinds of ambition.

18605. Do you really think that the undergraduate realises it so clearly, that he thinks he is going to be a Judge in the mufassal, and that his ambition is excited thereby?—Speaking from my own experience I should say that a large number of men do. Take my own case. I certainly contemplated the Judicial branch of the service as a distinct possibility from the first, and there are many other men who are in the same position I think.

18606. I should have thought that any such knowledge as there is at Oxford or Cambridge is chiefly with regard to executive work?—It is chiefly so undoubtedly; that is what appeals to most people.

18607. You believe there are a certain number of people who think of the Judgeships?—That was so in my year.

18608. I understand that is the way in which the reduction of attractiveness would work, that there is not the same variety of work open to the men?—Yes.

18609. The mere reduction of the field is not important at all?—Perhaps not.

18610. The fact that there are 40 posts to be competed for instead of 60 does not really make a difference?—I do not think it does.

18611. (*Mr. Chaubal.*) Could you tell us the posts you have held in the Service during the last eight years?—I started as Assistant Magistrate in the ordinary way, and I then held charge of a subdivision for nearly two years. Then I went into the Settlement Department for two years, and then into the Secretariat as Under-Secretary to the Chief Secretary, and from there I went to my present post of the Registrar of the High Court.

18612. You have not been in charge of any district?—No.

18613. Will you kindly give me an idea of what this bugbear of settlement work is? Just give us a bare outline of the features of what you call the Settlement Department which has to be learned?—I think I may describe it briefly as making a sort of Doomsday Book of the country.

18614. Is it anything more than a record?—It is a record.

18615. What you call a settlement is what we call a record-of-rights?—It is a record-of-rights primarily, but there is also a certain amount of settlement of rents.

18616. As an Executive officer do you settle the rent?—Yes, between the revenue-payer, the landlord and the tenant.

18617. Between the raiyat and the zamindar?—Yes, that is only in special cases at the request of either party or under certain other circumstances.

18618. You keep a record of the rental which a tenant has to pay to the zamindar in addition to the zamindar's assessment?—Yes.

18619. That is fixed?—Yes, the zamindar's payment to Government is fixed.

18620. You have to fix and regulate the rent which the tenant has to pay to the zamindar. Is that your work chiefly?—That amongst other things. There is a record of the possession and status of every tenant.

18621. With a view to determine the nature of the tenancy, do you mean?—Not to determine it, to record it.

18622. You have what is called a settlement register into which you enter particulars?—Yes.

18623. And perhaps you may enter whether he is a tenant for a certain number of years and so on?—Yes.

18624. Is that the difficult work which it is not possible for a pleader of ten years' experience or an Indian Barrister with some experience to acquire unless he actually goes through it?—I do not think I suggested that for a moment. I was not speaking of Indian pleaders or Barristers.

18625. The objection which you gave to Sir Theodore Morison against recruiting the Judicial branch of the service would not have as much strength against the recruitment by Indian pleaders and Indian Barristers of some standing?—I understood Sir Theodore Morison to be dealing with the question of recruitment from English Barristers.

18626. Supposing I put the same question to you with respect to Indian pleaders and Indian Barristers, the strength of that objection would not be so much?—The objection that they would have to acquire a knowledge of the vernacular and the economical conditions of the people—of course not.

18627. Nor so much against the difficulty of settlement work?—No. I do not know that I should be prepared to suggest it would be necessary for Indian pleaders or Barristers to go through it.

18628. As a matter of fact in other provinces there may be the difficulty of knowing the different tenures which is far worse than knowing the settlement work in this province. You do

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not see any objection if the State gets a ready-made article in the shape of Indian Barristers and Indian pleaders? There is no reason then why the Indian revenue should be spent on the equipment of the Indian civilian in special legal knowledge, giving him study leave and giving him a training, if you can get the trained article?—In my answers to these questions so far I have been proceeding on the assumption that it is necessary to keep a considerable British element in the Judiciary as in the other branches of the Administration.

18629. I quite admit that if the present Service were retained for the judicial administration of the country, then the form of training would be necessary and useful for that Service, but if it is a question of recruiting the whole Service, and if the State can get that Service recruited from ready-made material without any expense to the State, I suppose it would be an advantage to employ that material?—It seems to me it is necessary to employ a considerable proportion of Englishmen in the Judiciary as in the other departments of the Administration.

18630. May I know for what purpose?—I think it has been generally admitted that it is necessary, in order to keep up the British tone of the Administration, that a considerable number of Englishmen should be employed, and that argument appears to me to apply to the Judicial Service no less than to any other portion of the services.

18631. I believe the witnesses who have been before us referred more to the British tone of administration in the Executive Department than the Judicial; but they might think it is equally necessary to the Judicial administration that there should be a minimum of Europeans? —I think so.

18632. If such a European element were necessary then the question put by Sir Theodore Morison about English Barristers would be pertinent?—Yes.

18633. If you take the English Barrister trained in law and give him one or two years' training in India he would be fit for the post?—I do not think his training in the end would be very much shorter than that of a civilian.

18634. The training would be much the same except in the general principles of law?—Just so.

18635. By a trained Barrister I mean a man who has had a training in jurisprudence and law. If in two or three years he acquires some knowledge of the language and of the country and sits on the Bench with a Subordinate Judge for six months or a longer period, you would consider that to be very good training for Judicial work?—Yes. I should consider it good training. I do not know whether it would be adequate. That point could only be determined by experience.

18636. (*Mr. Gokhale.*) You have been only eight years in India and practically all your service has been during the somewhat troubled times in Bengal since 1904?—Yes.

18637. How much of these eight years has been spent in the mufassal?—The first four years and eight or nine months, and that was in Bihar not in Bengal.

18638. Was it confined to one district or spread over several?—Three districts.

18639. All in Bihar?—Yes.

18640. You have not been in Eastern Bengal?—I have not.

18641. Did you take any special leave during the time?—Yes, I went home for six months in 1908.

18642. There is just one point with regard to question (24) which I want to ask you about. You say, "In Bengal, for example, Natives of India hold 17 per cent. of the posts scheduled as Indian Civil Service posts, whereas the proportion for India as a whole is about 11 per cent. In my opinion the political condition of Bengal during the last few years does not warrant such a difference." That means that the proportion should be lower in Bengal than it is. You would reduce it for Bengal?—No, I did not mean that.

18643. What is the meaning?—I think the Bengal proportion ought not to be increased.

18644. You say that in your opinion the political condition of Bengal does not warrant such a difference, that is the difference between 17 per cent. for Bengal and only 11 per cent. for all India?—I was assuming that there is to be some advance for India as a whole, and I think it should be remembered in making that advance that Bengal has already far outstripped the rest of India.

18645. If things remain for the whole of India at 11 per cent.?—I was not contemplating that. I was contemplating some advance for India as a whole.

18646. If that advance exceeds 17 per cent., would you make a corresponding advance in Bengal?—If it were to exceed 17 per cent. for all India? I am really not prepared to say. I am not prepared to discuss differences of 1 or 2 per cent.

18647. It may be more than 1 or 2 per cent., and I should like to get at your idea, whether you think that for Bengal the proportion should not be different from what it would be in the rest of India?—No, I think there is no justification for such a great difference as exists. I do not say it should necessarily be lower in Bengal than it is in the rest of India, but I do not think it should be as high as it is at present.

18648. Do you know why the proportion is higher in Bengal?—Historically? I do not know.

18649. This 17 per cent. of yours includes the Indian Civil Service men and the listed men, does it not?—Yes.

18650. There are more Indian Civil Service men in Bengal than anywhere else, men who have passed the open competition in England?—Yes.

18651. Of the listed men I think there are 8 or 9?—Yes, 8 superior posts.

18652. There are about 90 superior posts in Bengal and out of them 8 are listed?—Yes.

18653. That means about one-eleventh or so?—Yes.

18654. You include with those 8 the men who have passed the competitive examination, and you get this proportion of 17 per cent.?—Yes.

18655. But surely men who have passed the competitive examination cannot be a ground for complaint that the proportion in Bengal is higher than anywhere else?—The question relates to the proportion of European subjects of His Majesty to be employed in the Civil administration.

18656. I quite see. But the selection of a province is largely not in the hands of these men; in some cases they are consulted, but it is the Government who allots the men who pass the competitive examination according to the needs of the Province. If the Government chooses to send more Indians to Bengal on that account, are you going to object to the proportion in Bengal? —I think it depends on the proportion; it is a question of degree. As a general rule I am prepared to accept the Indian who is recruited by the open competition at home as a European-recruited man, but if the proportion increases beyond a certain figure that I am not prepared to state expressly, I think the situation might require reconsideration.

18657. I do not want to press the point. I should have understood that answer if you had said 17 per cent. was too much in itself, but you object to it because it is higher than for the rest of India. Would you make an increase in the listed posts in Bengal now?—I think there is room for listing a few more Judgeships.

18658. Do you contemplate any increase in the listed posts?—I contemplate some increase in Bengal.

18659. That will raise the proportion still further?—Yes.

18660. How is the difficulty to be got over? —I contemplate also some increase for India as a whole in some way or other.

18661. I see now that your whole scheme is this. You are against simultaneous examination?—Yes.

18662. You would reduce the age-limits in England by one year?—By one year only.

18663. To that extent you are making it more difficult for Indians to get in, or naturally it will be more difficult?—I do not contemplate that. I did not realise that would follow.

18664. Other things being equal the higher the age-limit the better it is for an Indian candidate to go from this country and learn foreign languages and appear at a very stiff examination?—It is a question of the interval between taking of a degree here and preparing for an examination in England.

18665. They cannot take a degree here now before 20?—That is so.

18666. Reducing the age-limit would have some effect on the number of Indians who go up for the Indian Civil Service?—Yes.

18667. I suppose you contemplate some slight increase in the listed posts?—Yes. I really did not realise the consequence of reducing the upper age-limit for the open competition, and I think if that would be the effect it is a matter for reconsideration, because I do not in any way wish to reduce the number of Indians appearing for the open examination. If that is the suggestion, I absolutely repudiate it. I expect to see a larger proportion of Indians passing through the open examination, and I think that is the most desirable door by which Indians can enter into the Service.

18668. If the effect of lowering the age-limit by one year was to reduce the number of Indians appearing at the Indian Civil Service examination you would not press for it?—I would not press for it.

18669. But you have nothing better to offer the people of this country, who want a larger share in the administration, than no simultaneous examinations—the utmost you will do is to keep up the present age-limits or if possible lower them by one year, and as regards Bengal you would not let them have a higher proportion than for the rest of India, and possibly some increase in the listed posts?—That is what it comes to.

18670. Having gone through these extremely difficult times in Bengal during the last eight years, having known something of the educated mind in Bengal, do you think that, as one engaged in the administration of this country, you are giving an adequate answer to the demand that is made for a larger association of the people of the country with the work of administration, by merely making these suggestions and nothing else?—Do you believe that any practical answer that can be made to this demand will have any great effect in reducing the present discontent? I doubt it.

18671. Do you think that no concessions that could be made would reduce the present discontent?—That is my feeling, any concession on this point, in the matter of appointments.

18672. Do you think that this discontent would remain as it is or grow more or less?—It might die down for a few years but would revive in another form, asking for more. That is my opinion.

18673. (*Mr. Sly.*) I should like you to explain a little more fully what is meant by a settlement in Bengal. You stated it was equivalent to the preparation of a record-of-rights. Is it not the fact that practically everywhere it consists of the preparation of the first record-of-rights that has ever been made in the land tenures of the country?—That is so.

18674 There is no previous settlement record bearing on this?—That is so.

18675. Is it not also the case that it involves an enquiry into a very complicated system of land tenures and rent, with many subdivisions? —Yes.

18676. Are not all those decisions of the Settlement officer recorded in the record and have the force of law, subject to the right of the party to test the decision in the Civil Courts?—Yes.

18677. I think it may be fairly stated that a settlement of that character in Bengal approximates much more closely to a regular settlement of land revenue in one of the northern provinces of India than it does to the mere preparation of a record-of-rights in the Bombay Presidency?—I have no knowledge of the Bombay system, but it involves a very intimate acquaintance with village conditions.

18678. It is in fact, as you state it, the preparation of a Doomsday Book. Now I want to ask you one or two questions with regard to the method of recruitment for the separate Judicial Service, part of which it is suggested should be recruited direct from the English Bar. If it is suggested that an English barrister with some period of years' practice in England is to be recruited for the Indian Service, what do you think would be the class of man that would be secured?—He would be a man who was a failure at home. That is why I said the only practicable scheme for inducing the English barrister into the Service is to catch him at the very beginning of his practice and take men just called, if you insist on having an English barrister.

18679. If you are unable to get a barrister with any considerable practice at home to come out to India, and you have to recruit from the barrister who has just passed his Bar tests, what class of candidate do you think that would produce for India?—I think it would produce a class inferior in ability to the average civilian. You could only test the ability by imposing an intellectual test similar to the open competition.

18680. You have stated that you think the fact that no candidate would have a judicial career open to him would detract from the attractions of the Service?—Yes.

18681. Do you not also think that if there was a substantial reduction in the number of appointments to be competed for every year, a reduction which would be at least about one-third or perhaps larger, that also must affect the recruitment for the remaining posts?—Yes, perhaps that is so.

18682. To give a concrete instance, is it likely that any Service would get proportionately as good candidates for a Service which offered, we will say, 20 vacancies a year as for a Service which offered 50 to 60 vacancies a year?—No.

18683. (*Mr. Macdonald.*) You have handed in a memorandum from the Indian Civil Service Association. Are there any Indian Members of the Association?—Yes.

18684. They join it?—Yes; I cannot say how many, but believe there are several: I know there are one or two.

18685. It represents both the sections of the Service?—Yes.

18686. With reference to question (7), I should like just to get some further information from you than you have given. You began by assuming that the principle on which the whole administration is rested is to preserve the British character of the administration?—Yes.

18687. And that that British character can only be preserved by a very substantial majority of British-born members?—Yes.

18688. That is your first reason why you are in favour of keeping the examination in England?—Yes.

18689. In other words, your reason comes to this, that you want to make it difficult for Indians to enter the Service?—I want a guarantee against too large a proportion of Indians entering the Service?

18690. Yes, if you like to put it in that way?—I prefer to put it in that way because I am prepared to accept a certain increase of Indians into the Service.

18691. But you want to make it difficult for them to enter?—Very well; I will accept it that way.

18692. Your second reason is that although examinations are very defective tests you may assume certain moral qualities in Englishmen which you cannot assume in Indians?—Yes, speaking broadly.

18693. And therefore it is advisable that the candidates should be predominantly English?—Yes.

18694. Are you quite sure that your assumption is sound or is it only the view that the Englishman takes of himself?—I trust not. It is naturally a matter which I have thought about a good deal. I have been brought into touch with Indians continuously for the last eight years and that is the conclusion I have come to.

18695. Your third reason is that if the European scale of pay were to become general to Indians, it would be too expensive for the needs of India?—Yes.

18696. And you keep out Indians because you must keep up the scale of pay and get Englishmen to enjoy it?—You have turned my answer round. My answer is that it would not be justifiable. If India could be properly administered with an administration composed entirely of Indians, I do not think it would be justifiable to impose upon the Indian taxpayer the burden of paying the members of the administration at European rates of pay.

18697. Then your third reason is merely an aspect of your first reason?—If you like to put it so, yes.

18698. Your fourth reason is that the examination is really an English examination?—Yes.

18699. And because you have put down a certain proposition in reason No. 1 you give it the aspect that you do in reason No. 4?—Not altogether.

18700. There is no justification for it remaining as it is unless your first proposition is sound?—No, not unless the first proposition is sound.

18701. So that your fourth reason is merely an aspect of your first?—Yes.

18702. You say in the last but one sentence to your third reason: "Excluding these I consider that the Provincial Services in Bengal attract the best talent available." There was a distinction made by one of the witnesses this morning between "attract" and "secure."—I mean secure.

18703. You do not mean to draw that distinction?—No. All the candidates for the Provincial Service in Bengal for two or three years were interviewed by me when I was Under-Secretary in the Appointment Department, and recently I have been in the same position with regard to candidates for Provincial Judicial Service, and I consider that on the whole they are of a very good stamp.

18704. You think you are getting as good men for the Provincial Service as you can get under any system of selection?—As a class I think so.

18705. In answer to question (15) you say you are opposed to any limit between the ages of leaving school and the University. I suppose you see that if the age is going to be altered at all, there is no use in fixing an age which comes right into the middle of the University career, and that the alternative is either after a public school or after a University?—Just so.

18706. And anything between is unworkable and uneconomical?—That is so.

18707. On that assumption, if you take the candidates after they leave a public school do you say that would limit the field of recruitment? I want you to be quite clear about my point because it is an important one. You say, "It would limit the field of recruitment and drive men to the crammers"?—I am not quite sure that I am clear about your point. Perhaps my answer is not very clear. By "any limit between the ages of leaving school and University" I do not mean a limit immediately after the school-leaving age; I mean the intermediate age.

18708. This is a criticism of the intermediate age between the end of the school and the end of the University?—Yes, I think it is not clearly expressed.

18709. In answer to question (17) you say, "I refer to the decline in the stability, importance, and pecuniary attractiveness of the Service".—I mean there is a general movement for throwing open posts which have been held by the Service to other sources of recruitment.

18710. What are they?—To Indians.

18711. To Indians through the competition door?—No, the increase in listed posts and so on, and I think also there is a general tendency towards limiting the employment of the Service on posts outside the general line, posts of a somewhat technical character.

18712. Is that owing to the specialisation of other departments?—I think so. For example, in posts like the Inspector-Generalship of Police. Until recently that was a civilian preserve, but it has been held by police officers and may be again. There are more technical posts; there is the Registrarship of Co-operative Credit Societies, a very special post. I am not complaining of this tendency myself. I am merely stating it as a fact.

18713. It is a fact that the more specialised the administration in India becomes, the more specialised become the administrators?—Yes, and the more limited the field for the Service.

18714. As a consequence a Service that used to be very general in its responsibilities and powers has become more and more restricted?—That is so.

18715. You cannot help that, can you?—No, I do not think you can help that, but it is a factor which contributes to the decline in the attractiveness of the Service.

18716. There used to be a good deal of romance about the Service; it appealed to a man's imagination. You think that appeal is not being made now?—Not so much.

18717. There is another limitation, is there not, that the Service is becoming more and more responsible to higher authorities like the Service at home?—Yes, I mean that.

18718. That your acts good and bad are becoming more frequently referred to the Government of India and more particularly to the Secretary of State at home?—That is so.

18719. And still more particularly to the House of Commons?—That is so.

18720. And the old type of servant objects to that very much?—That is so, and I think also that men were attracted to the Service by the old conditions, and therefore the field for the selection of recruits is diminishing.

18721. As the limitation of the field of the Service is inevitable in view of the evolution in forms of Government, is not the other equally inevitable? You do not expect that you are going to remain a sort of specially protected part of the Empire?—No, I think it is inevitable.

18722. Do you think that democratic interference must come in?—Yes.

18723. And that consequently in making up your mind as to what the future character of the Indian Civil Service must be, you must assume that these changes are going to mark its future?—Certainly.

18724. And howevermuch we may deplore it, we must try to get men who will govern, and will be content to govern, under conditions which will be imposed upon them, one of the conditions being that the superior Imperial authority will be frequently interfering and compelling them to answer questions and submit to criticism?—I think that is true.

18725. (*Sir Murray Hammick.*) Supposing it is a fact that the attractions of the Service from its romance, independence, and other qualities which existed some years ago are getting less, have you thought how you would continue to make the Service as attractive as it used to be?—I think the only practical way of doing so is by increasing its pecuniary attractiveness to counterbalance that.

18726. You do not see any other method except by increasing the pecuniary emoluments of the Service?—I do not.

18727. With regard to the first part of your answer to question (7), I understand you mean not that you wish to make it difficult in itself for an Indian to enter, as that you desire to continue the present method by which an Indian enters the Service, because you consider that is the only method by which an Indian is likely to succeed in obtaining the characteristics which you think are necessary before a person should enter the Civil Service?—Yes.

18728. (*Mr. Bompas.*) With regard to getting the young barrister as a finished article as a recruit for the Judicial Service and thereby saving Government the expense of training him, I suppose it is true that if you do that you will have very little choice as to the age at which you recruit him. You would have to be guided by the average age at which men are called to the Bar?—Yes.

18729. I suppose you would not expect men to go through the troublesome and expensive training for the Bar merely on the offchance of getting into the Indian Judicial Service? They would be men who would be prepared to practise and with some hopes of getting a practice and hoping to find that their ambitions would be justified in a year or two?—That is so. I said shortly after they were called, but you would have to give them a year or two.

18730. If for any other reason you find it desirable to bring men out to this country at an earlier age than 26 or 27, that would be an objection to getting this ready-made article?—Yes.

18731. I see you lay stress upon the advantage of a legal training for an Executive officer?—Yes, that is an opinion I have heard generally expressed by Executive officers themselves, that the legal training they acquired under the old system prior to 1891 was very useful.

18732. If that policy is adopted you have to provide an apparatus for legal training in any case?—That is so.

18733. It was suggested to you by Mr. Chaubal that although a British tone or British character might be desirable in the executive branch of the Service it was not so necessary in the judicial branch. Would you say that any difference in tone or character between the judiciary and the other branches of the Service is a thing to be avoided?—Yes, I should certainly say it was a thing to be avoided. I think that the executive and the judicial must be homogeneous. You cannot imagine a country under a republican form of Government with an imperialist Judiciary.

18734. As regards the cost of what I may call the honest pension, is not that perfectly easily ascertained? Is it not 4 per cent. on the pay of the Civil Service?—Yes, I made a mistake on that point.

18735. (*Mr. Sen.*) Are you aware that complaint is general in Bengal that Provincial Judicial officers are as a class overworked, and that the entire staff requires strengthening?—That is so; in fact the High Court has already recommended some increase in the number of appointments to meet that state of things.

18736. I think you are aware that in the recent recruitment of Munsifs large numbers are M. A., B. L.'s and several of them have passed the B. L. examination in the first division?—That is so.

18737. Do you not think that if District Judgeships be recruited from barristers and vakils it will cause serious discontent to the members of the Indian Civil Service and to the Provincial Judicial Service?—Certainly.

18738. And that it may be prejudicial to the recruitment of the best men as Munsifs?—I think it would.

18739. Are you aware that on account of the impending division of the cadre of the Provincial Judicial officers between Bengal and the province of Bihar and Orissa there has been a dissatisfaction among the Provincial Judicial officers in Bengal?—That is so, and it is to some extent justified.

18740. Do you know that the ratio of Subordinate Judges to Munsifs in Bengal is about one to six approximately?—That is so.

18741. And in Bihar and Orissa it is about one to three?—That is so.

18742. So that unless all the grades of Munsifs and Subordinate Judges in Bengal be entirely readjusted and the average monthly income of a Provincial Judicial officer in Bengal is made equal to that of a Provincial Judicial officer in Bihar and Orissa, the present serious discontent in the Bengal Service will continue?—Undoubtedly, and as a matter of fact the High Court has already recommended that that should be done.

18743. In Bengal Magistrates appointed from the Provincial Executive Service get exactly two-thirds of the pay of Magistrates belonging to the Indian Civil Service, while District Judges appointed from the Provincial Service get less. Do you not think this is an anomaly that should be removed?—The executive man does not get exactly two-thirds.

18744. He does, exactly?—Yes, he does. I think it ought to be raised to two-thirds.

18745. If the present age-limit of Munsifs, namely, 30 to 31, be retained, then is it not desirable that there should be some relaxation of the rule requiring 25 years to qualify for a full pension?—I think so, certainly, and I understand some such relaxation has been made in Madras.

18746. The rule has been made there, you say?—Yes.

18747. Is it not desirable that Subordinate Judges should from time to time be appointed Personal Assistant to the Legal Remembrancer and Judicial Secretary to Government, and to the Registrarship of the Presidency Small Causes Courts?—I should think Munsifs might be usefully employed there.

18748. May I also put the Assistant Registrarship of the High Court in that character from time to time?—As far as the Appellate Side of the High Court goes, I do not think Munsifs would be suited for the appointment. It is practically a Secretariat appointment on the Appellate Side of the Court.

18749. It is so in Bombay?—I was not aware of that. I am not aware of the nature of the duties of the post in Bombay.

18750. Should not a Judgeship in the Presidency Small Causes Court be reserved for a member of the Provincial Judicial Service?—I should like to see it so; it has been the practice for some years, but there is no guarantee.

18751. Do you think it is a good training for Munsifs to act as Settlement Officers?—Certainly, a very valuable training.

18752. Do you know that litigation is steadily increasing and that there is a large surplus in each year from litigation?—Yes.

18753. At the present time there are several vacancies in the Provincial Judicial Service which have not yet been filled up and the members of the Service are interested to know why these vacancies have not been filled up?—That is merely a temporary matter. The vacancies have not been filled because the questions of the principles on which the cadre should be divided between Bengal and Bihar is still under consideration.

18754. Then I take it it has not yet been definitely settled whether the vacancies in Bengal should be filled by officers allotted to Bengal and those in Bihar and Orissa filled by officers allotted to that Province?—It has not yet been definitely settled.

(The witness withdrew.)

J. H. RUNDLETT, ESQ., Assistant Traffic Superintendent, East Indian Railway.

Memorandum relating to the Indian Civil Service.

18755. *Open competition and selection.*—I have no actual experience in the working of the present system of recruitment by open competition of the Indian Civil Service, but I certainly do not think that merely open competition in England is sufficient. Open competition should be combined with the principle of selection, and should take into account the candidate's entire educational career in school and college, upon the honest testimony of the principals of the institutions, in regard to the boy's uniform moral character, manly principles, deportment, physique and continuous application.

The system as proposed should be applicable to Natives of India, I mean the stringent application of the principle of selection, prior to examination.

There is no doubt that the combination of open competitive examination and selection simultaneously in England and India, would be to the advantage of Indian interest, inasmuch as the country would have the benefit of the best material available, *i.e.*, candidates of the best talent would offer for service, whereas now the ban of poverty precludes much valuable talent, which is held back for minor offices, whereas such talent could well be employed in the higher services of the State.

Simultaneous examinations.—Subject to the conditions already mentioned, I advocate the system of simultaneous examination in England and India, provided that the candidates selected in India should be required to undergo a special training in England for not less than three years.

Separate examinations.—I am not in favour of separate examinations, and in regard to the disposition of appointments I am not agreeable to a fixed proportion being allotted to natural-born British subjects, or Natives of India except where they include the highest grades of British administration.

Classification.—The general term "Native of India" should, I think, be made more specific, *i.e.*, purely Natives should enjoy the term of Indian, and those under Home Covenant—Europeans; while others ostensibly domiciled in India, either of pure or mixed descent, should receive the classification of Anglo-Indian, if it is not possible to give us the rights of paternal heritage and classify us as Europeans, since to all intents and purposes we are nothing else.

Age-limit.—The present age-limit, in regard to open competition, might remain at 22—24 years, and the most suitable age at which Junior Civilians should arrive in India should be between 23 and 25 years.

Principle of appointments.—I do not accept as generally satisfactory the present principle, under which appointments in India are partly recruited by open competition and partly by special arrangements in India. "Special arrangements" I interpret as the strongest private recommendations, which do not obviously enable the best material to be secured in the case of such appointments. I would say that selection under conditions already touched upon and open competition, should form the only bases of recruitment for all the various services under Government in other than subordinate capacities.

Training and probation.—In regard to training and probation, I consider that this should not be for a lesser period than three years in England, *i.e.*, if the candidate has, after selection, passed the required examination, he should be required to proceed to England for one year's training at Government expense, and a further two years either at his own expense or aided by the Government, if special consideration may be extended to the candidate; and I would suggest that his training then requires him to qualify in special courses of study at an approved University which would be necessary in the high calling to which the candidate has aspired.

Special studies.—Law studies should be absolutely necessary together with some knowledge of the principal Indian languages, and if this latter subject was previously intimated, the candidate would probably bring it within the curriculum of his studies in India before sitting for the open competitive examination. There should be no differentiation in the period of study in England in the case of any candidate, and English training is indispensable.

Salaries and pensions.—I make no comments in regard to salaries or pensions, as I am unacquainted with the present scale and conditions beyond those generally applicable to the State or partly State-owned Railway service, to which I belong; and if this service comes within the range of the present Commission, I think there is room for enquiry, if not on the conditions of salary, certainly in regard to leave, as at present there is an invidious distinction applying to certain classes of labour which is ignominious, and certainly not conducive to the best results in working.

I refrain from going into details in case the point does not come within the scope of the Commission.

Summary.—If I be permitted to summarise, I would say that a certain class of people in this country would hail the possibilities of furtherance of their chances in life by open competition, where opulence would not play a part, but where gentility, inherited from their ancestors, who secured for this country the valuable asset it is to the British Empire, would find a place such as it could claim by heritage and natural gifts, which cannot now be developed on account of poverty or prejudice. To be plain, the Anglo-Indian community can ill afford to send their boys to England, whereas there is much talent which cannot be employed as well as it might be, and as the avenues of higher employment in India have been gradually closed, except to those who can go to England for competitive examinations, the Anglo-Indian community has not been aspiring to the high grade examinations in India, especially as such examination awards enjoy a considerable discount in England.

Educational facilities.—Obviously, as a sequence to such a course of open competition, it would be necessary in the first instance to improve Indian schools, colleges and Universities, and as such institutions can only look to the Government for their inception and support, it would be a *sine quâ non* for the Government not to primarily move in the direction of improving educational facilities in India, so as to put candidates in India on a par with British candidates.

MR. J. H. RUNDLETT, called and examined.

18756. (*Chairman.*) You are Assistant Traffic Superintendent of the East Indian Railway?—Yes.

18757. I see that you advocate simultaneous examinations amongst selected candidates?—Yes.

18758. Would you fix the proportion of andidates to be selected in India and in England?—I advocate open competition and in hat case all comers would sit for the examination.

18759. Would you make any distinction as o the European portion?—No, no distinction.

18760. You say that the candidates selected n India should be required to undergo a special training in England for not less than two years: Would that be before or after the examination?—After the examination.

18761. What kind of training do you suggest?—First of all my idea was that there would be an examination after the University course in India, or in England, as the case may be, up to the B.A., and then there would be the selection. Then would come a course of English study covering a period of three years, necessarily in England.

18762. You say either India or England?—No; the three years should be in England. I have said later on that an English training is indispensable.

18763. What is the age-limit you suggest?—With regard to the open competition the age-limit should be from 22 to 24, but I find from these figures that the study limit should be 20 or even 21, and three years in England would bring him out between 23 and 25.

18764. But your age-limit would bring him out about 26 or 27?—No, 22 to 24 is not correct. I should have said 20 to 22, and the three years' training would bring him out by 25.

18765. (*Sir Murray Hammick.*) Are you speaking for yourself or on behalf of any association?—I am not here as deputy for any association.

18766. Are you attached to any association?—I am attached to an association, but I am not here as deputy of any association.

18767. What association are you attached to?—I belong to the Anglo-Indian Association.

18768. Do you think the Anglo-Indian Association would be ready to accept a scheme of simultaneous examination without any selection either before or after the examination?—I can only say that this is my private opinion, but whenever I have put it before gentlemen whom I thought it would interest they have agreed cordially.

18769. Have you been living in Bengal all your life?—Yes, all my life.

18770. What you mean by your last paragraph is that if you had simultaneous examinations the Government ought to take means at once to improve schools. Are you referring there specially to schools for Eurasians and Anglo-Indians?—Yes, to schools under the European Code in this country.

18771. What you want to see is the Government spending money on improving the European code schools?—That has been our desire for some time, and as you may have heard, there is an endeavour now on foot to improve Indian education. Perhaps the Government efforts could fit in with private efforts. We must have better schools and colleges in this country if we are to be pitted against English candidates.

18772 If the schools are not improved, would you still advocate simultaneous examinations?—I fear that the schools under present conditions would not be equal to the task of preparing youths in India for the Civil Service Examination.

18773. (*Mr. Macdonald.*) You can take advantage of the Universities in India, cannot you?—Yes, but somehow we do not naturally take to the Universities in India.

18774. You have the same facilities that Hindus have?—Yes, if our boys choose to attend those colleges, but our own feeling is that somehow we do not take naturally to Indian Universities.

18775. What about the elementary schools through which boys go before they get to a University? We have a few of that sort which are quite up to the mark.

18776. Is it on account of feeling that your children will not go from the schools to the University?—There is a sense of feeling to some extent.

18777. Would you propose to have separate University facilities given to you?—We are anxious to have a separate University. We have our colleges, and if we could have a separate University for domiciled Europeans or Anglo-Indians, it would help us very materially.

18778. Until all that is done, you want to be regarded for the purposes of nomination, as a separate community with certain rights of having your members nominated on the Provincial Service and the Indian Civil Service?—Yes, we are anxious for that.

18779. (*Mr. Sly.*) Has any member of the Anglo-Indian community passed the open competition of the Indian Civil Service?—Yes, we had an excellent man in Mr. J. J. Platell, a man who unfortunately died two or three years ago.

18780. In what year did he pass?—Possibly about 10 or 15 years ago.

18781. That is the only case you know?—Yes. I knew Platell intimately and I knew his results were admirable.

18782. Do you know whether many of the domiciled Europeans send their children home to England to be educated?—Yes, when they can afford it, but the instances are very few and far between. It is a very considerable strain on one's resources.

18783. But they do send a certain number home?—Yes, that is my own case at present.

18784. Do those children go up for the open competitive examination?—I could not say they are qualifying for the Indian Civil Service, but I know they are qualifying for the engineering and other professions.

18785. Would you say that the Anglo-Indian community is much more attracted towards engineering and other outdoor professions than to the Civil Service?—No, I am sorry to say they are more given to clerical labour.

18786. (*Mr. Gokhale.*) There are more Anglo-Indians in the Indian Civil Service than you mentioned?—I did not know that, but I hope there are.

18787. Are not Mr. Vaz in Bengal and Mr. Chakrabarty Anglo-Indians according to the new definition of the term?—Perhaps so.

18788. I think there are also several others? —There may be. I did not get the information as I did not expect the question.

18789. Are these interesting views of yours largely shared by members of your community? —Yes. Whenever I put them, they have met with cordial concurrence.

18790. Will you be able to say in a general way whether the educated portion of your community would, on the whole, be in favour of these views or would they take a different line?—I think they would support my views.

(The witness withdrew.)

(Adjourned to Rangoon. The evidence of the two remaining Bengal witnesses was heard after the return of the Commission from Rangoon—*vide* footnotes on pages 508 and 515.)

DR. THIBAUT*, Registrar of the Calcutta University, called and examined.

18791. (*Chairman.*) There is some information with regard to matters connected with education and examinations, which we should be glad to have from you, if you would kindly give it to us. As the questions which will be put to you are of a technical character, I will ask those members of the Commission who are particularly versed in this matter to examine you. I have no doubt you will be able to help us.

18792. (*Sir Theodore Morison.*) It would help the Commission if you would tell us, first, what your qualifications are. I believe you are now Registrar of the Calcutta University?—Yes, I am, and have been so for the last six years.

18793. And before that?—Before that I was Registrar of the University at Allahabad for a little more than a year. Before that, again, and ever since 1875, I was in the Educational Service in the United Provinces. Part of the time I was a Professor in a college, and most of the time Principal of the Benares Queen's and Sanskrit College, and later on Principal of the Muir Central College at Allahabad.

18794. You were a member of the University and of the Syndicate?—For many years I was a member of the University and Syndicate at Allahabad.

18795. Therefore you had a great deal of experience in the conduct of examinations in Allahabad?—I had ample experience as a member of the Syndicate. And besides that, I had the management of the Higher Middle English Examination at Allahabad. I do not remember the exact time, but for at least 20 years. I know, therefore, how examinations are managed in this country.

18796. You were, I think, a member of the Board of Examiners, and the Board of Studies, at Allahabad?—I was a Member of Boards of Studies, and a Member of the Board of Moderators.

18797. You took part in all the activities in the University?—Yes.

18798. With regard to Calcutta, I believe you have an M.A. degree here, have you not? —Yes.

18799. How many years after the B.A. degree is taken is the M.A. degree taken?—It is a two years' course after passing the B.A.

18800. Can you tell us what subjects may be taken for the M.A. degree?—For the M.A. degree I suppose I may include the M.Sc. degree, which is equivalent to the M.A. degree.

18801. If you have the calendar, you may read the subjects out?—There is English, Mental and Moral Philosophy, History and Economics.

18802. Is Economics now a separate subject? —Yes.

18803. A man can take his M.A. degree in Economics?—Yes. It is called Political Economy and Political Philosophy. They go together. They are two branches of the same examination. Then there are the different languages, Sanskrit, Arabic and Persian. Of course, if a student wants to take up European classics he can take up Latin and Greek. We have had no candidates for these for many years, but there may be candidates.

18804. That is on the Arts side?—Yes. Then there is Mathematics, Physics and Chemistry. There are other branches which are sometimes taken up. Geology, for instance. We have had M.Sc.'s in Geology.

18805. A man can take his M.Sc. in Geology only?—Yes, in Geology only.

18806. Is that all?—These are all which are actually taken.

18807. I should like to ask you about the teaching for these different examinations. Would you tell us what the teaching for the M.A. examination is? Is there teaching in all these subjects?—Yes. There is, at present, teaching in all these subjects. It is partly done by affiliated colleges, and partly by so-called University lecturers who are appointed, and also paid, by the University direct.

18808. Take the colleges first. Are there many colleges which take all these subjects?—No, there are not many colleges which teach up to the M.A. standard. There was a great reduction in affiliation in M.A. when the University was remodelled in connection with the new regulations At present there is only quite a small number of colleges which teach for the examination. The chief college is the Presidency College. Even the Presidency College does not take up everything They are not affiliated in all the subjects.

18809. The Presidency College does not teach Philosophy, does it?—Philosophy is partly provided for by the Presidency College; it is fully provided for by the University.

18810. What are the precautions which the University takes for seeing that there is efficient teaching before it affiliates in these subjects?—The University enquires very carefully into the staff of every college.

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* Dr. Thibaut's evidence was actually taken at Calcutta on the 18th February, the Chairman and the following Members being present:—

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
GOPAL KRISHNA GOKHALE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
HERBERT ALBERT LAURENS FISHER, ESQ.
JAMES RAMSAY MACDONALD, ESQ., M.P.

Dr. Thibaut did not submit any Written Answers.

18811. So that no college is qualified to teach for the M.A. in any one subject unless it has a staff for that subject?—A staff for the subject; and the University is very strict at present with regard to that staff. Before a college can be affiliated a statement has to be sent in about the staff; the qualifications of the staff and the amount of time which the Professor will be able to give to the subject.

18812. It is not enough to say that "Mr Jones is prepared to give lectures on the subject?"—No, not at all. All this has become very much stricter during the last six or seven years.

18813. You were going to tell us about the provision which the University makes?—The University has appointed a very considerable number of University lecturers in order to provide for the want of those students who cannot be accommodated in the affiliated colleges. Calcutta, for instance, in addition to the Presidency College, the details of which I have mentioned, has affiliated the Scotch Churches College in only two branches, namely, Mental and Moral Philosophy, and pure Mathematics. No other college in Calcutta is affiliated. In order to provide for the large number of students (an evergrowing number of students) who wish to continue their studies beyond the M.A., the University has instituted these University lecturers. These University lecturers are taken, partly, from the colleges. The Professors of the college agree to give their services for some hours a week to the University; and, partly, they are independent men who hold no other appointment than that of University lecturers. They receive a salary from the University.

18814. Do you use the expression "University professor" and "University lecturer" as the same?—I should have said University lecturer. There may be Professors in the college. For instance, now the Presidency College is not affiliated in Mental and Moral Philosophy because the Syndicate do not consider the staff of the college strong enough. One of the Professors of that college acts as University lecturer in combination with three or four other lecturers, so that there are four or five men altogether, who constitute what the University considers a sufficient staff for the subject.

18815. So that by a combination of the staff of the colleges they can provide adequate teaching?—Yes. The staff of the college can be supplemented, where necessary, by additional University lecturers. In the same subjects we have two or three independent University lecturers.

18816. In addition to the staff of the colleges?—Yes, in addition.

18817. You have also what you call University professors, have you not?—That is quite a new institution. It is only in its very beginning. But we have some University professors at present. We have had for the last three or four years a University Professor of Economics, and the Government of India have recently granted funds to the University for two University professorships, one in Higher Mathematics, pure Mathematics, and the other in Mental and Moral Philosophy. In addition to that, the University has instituted a Professor of Indian History, paying the salary to the Professor out of their own funds. We are also going to have two University Professors for Science, one in Chemistry and the other in Physical Science, whose salaries will come out of the large donation recently made to the University by Sir Taraknath Palit.

18818. That would be six?—When all this is going on, the only Professor who has so far lectured is the Professor in Economics. The other professorships have been founded, and in some cases the Professors have been nominated. The lecturing, however, has not yet begun; but it will begin. I suppose, in the course of the next session all these Professors will begin to lecture.

18819. The whole six?—All the six. With regard to Science, I am not quite sure, however, because they may possibly not lecture before their laboratories are built, and that will take some time. The others, however, will lecture.

18820. The donation which was recently made, and to which you referred, was a rich one, was it not?—Yes.

18821. Do the two professorships which you mentioned exhaust that?—Not quite. Some stipends are to come out of it, too; a stipend for students to go to Europe and study in Europe.

18822. But as far as the endowment of the University teaching is concerned, that is all accounted for: in the six professorships are included all the endowments which you have recently received of fourteen and-a-half lakhs?—Yes. That large endowment is all to be spent on Science. It was really made for the purpose of the foundation of a Professorship in Physics and a Professorship in Chemistry. That endowment will all go to Science.

18823. And it is included in these six University professors?—Yes.

18824. Is there any regulation in the Calcutta University which prevents a student from attending lectures for two or three M.A. courses? If a student said, 'I do not want to take the M.A. degree, I want the knowledge and the teaching; and I am going to attend Philosophy and Economics, or Mathematics, Physics and Chemistry, I want to attend the lectures of all three. If the time-table does not clash I propose to attend all three, and pay the fees for all three." Would the University prevent him from doing that?—No, he might attend the lectures.

18825. I am asking this question in connection with the possibility of instituting simultaneous examination for the Indian Civil Service in India. You think it would be possible; at least, there is nothing at the present moment in the regulations of the University to prevent a man from attending M.A. lectures in the Calcutta University, which would be useful for him in the Indian Civil Service examination?—No. He might attend the lectures.

18826. Do you think, if he were able to attend for two, or, possibly, three years, these M.A. lectures, he will have a reasonable chance of passing in the open competitive examination for the Indian Civil Service?—That is a somewhat difficult question to answer. The M.A. courses here are very highly specialised. I do not know, however, whether they would exactly be the best preparation for candidates who wish to go up for the Indian Civil Service Examination.

18827. You think the teaching given might not be the best way for it? Do you think they teach up to the standard for it?—The standard in each branch is very high.

18828. Could you give us an idea of how you think that standard compares with the standard in a European University; how would it compare with a first-class Oxford, or a Ph.D. of your own University which, I think, is Heidelberg?—I think the standard would be about equal.

18829. You think it would be about equal?—Yes, I think it would be about equal. There is a difference in the Ph.D. degree. A man must do some independent work. That we do in our University, too. The Ph.D. degree is a later stage. The M.A. degree does not include that. But so far as book knowledge, theoretical knowledge, goes, the standard, I suppose, is quite as high as the standard of those examinations in Europe which you have mentioned.

18830. The Indian Civil Service is book knowledge and brain power?—Yes.

18831. As Registrar, do you think the Commissioners might have copies of the answer-books, say the top two or three, and one or two separate ones of the M.A. papers which have been examined and marked. Do you think the University would consider that?—The Syndicate would have to give the permission. I think, however, it is very possible that permission would be given.

18832. The examination papers are returned to the University, are they not?—Yes, they are returned to the University, and kept some time after the examination. They are destroyed later on, but not immediately. Last year's papers are no longer in existence. The papers of the examination which was held in June and July were all destroyed at the end of the year. We get such an enormous accumulation of papers.

18833. (*Mr. Gokhale.*) You have now a minimum age for the matriculation examination, have you not?—Yes.

18834. What is it?—Sixteen.

18835. A man can take his B.A. degree four years after that?—Yes.

18836. He must be twenty at the least?—Yes.

18837. And two years more are wanted before he takes his M.A.?—Yes.

18838. No man can therefore take his M.A. before he is 22, that is the minimum age; and the average age might possibly be higher than 22?—Yes.

18839. Your M.A. course, I take it, is a full course of two years?—Yes.

18840. Do you expect an average student to work hard for two years before he qualifies himself; would it be correct to say that?—Yes.

18841. You have seen the syllabus for the Indian Civil Service, and I think you know that candidates must attempt 6,000 marks in that examination. There is a limit of 6,000 marks and a man cannot take more than 6,000 marks, but he is expected to take 6,000 marks?—Yes.

18842. Will you tell us how far your M.A. degree would enable a candidate to appear for the Indian Civil Service straight off as soon as he has taken his M.A. degree? How many marks could he attempt with his M.A. degree?—Our M.A. degree is a degree in one subject only. I do not know the number of marks. I will give it to you.

18843. If you will turn to page 144 you will see Nos. 19 and 20, Mathematics 2,400 marks?—Yes.

18844. If you turn to the detailed syllabus later on for Mathematics and compare it with your M.A. syllabus, you will find on the whole that it is about equal?—Yes, I have thought so.

18845. That means that a man who takes his M.A. in Mathematics can attempt 2,400 marks out of 6,000?—Yes.

18846. And he has completed his 22nd year then?—Yes. He has also the knowledge of those subjects which he has taken up for his B.A. examination.

18847. That would not be very much, would it? What subjects would he have to study for the B.A.?—He might have taken English Literature; he might have taken Physics and Chemistry, any of the subjects.

18848. A man who takes up Mathematics for his B.A. probably would take up Mathematics for his M.A. also?—Very likely he would take up Physics in that case, Physics and Chemistry.

18849. Would the Physics and Chemistry be of a very high order?—I think they would be an essential help towards his passing the examination.

18850. True; but, so far as Mathematics is concerned, he would attempt 2,400 marks?—Yes.

18851. He has to find other subjects for the remaining 3,600 marks?—Yes.

18852. There your Physics and Chemistry would be helpful?—Yes.

18853. He must bestow some more time on the subject?—He must spend more time on the subject.

18854. From your knowledge of students, how long do you think your M.A. in Mathematics would have to study the other subjects before he could appear for the Indian Civil Service with a reasonable chance of success, attempting 6,000 marks?—That is somewhat difficult to say, exactly. It would depend very much upon the individual capacity of the student.

18855. Take some of the best students, because after all I do not think any but the best would have a chance of passing?—Certainly not less than a year; possibly more.

18856. Therefore he will be 23 complete, and, possibly more, before he can appear for the Indian Civil Service examination with a reasonable chance of success?—Yes. May I add something to my answer? If a student knew all along that he would try for that examination he could work up a great deal before the M.A. stage.

18857. That is why I asked if the M.A. course was a full course, fully occupying the student for two years?—That again, I say, depends upon the individual capacity. It would probably take all a man's time. He must carry on some other branch of study at the same time.

18858. I suppose without a more careful examination syllabus you could not tell us whether a student taking Mathematics could, in the course of one year, come up with a chance of attempting his 6,000 marks?—No, this would require me to give much more attention to these Regulations than I have given to them.

18859. (*Mr. Sly.*) Will you tell us what subjects you have examined in recently at the University?—I have examined recently in Sanskrit and in Philosophy.

18860. For the M.A. standard?—Yes, for the M.A. standard.

18861. And for the B.A. standard?—I do not examine for the B.A. standard now. I have formerly very often examined for the B.A. standard. I have also examined in other branches of study; but for the last five or six years I have not examined in anything but the two subjects which I have mentioned, Sanskrit and Philosophy. I may add another language, Pali. I have examined in Pali.

18862. Upon what are the opinions which you have expressed with regard to other branches of study based?—From my long experience in our general educational system. I have examined in those few subjects during recent years, but in former times I have examined in many other subjects. I have examined in History, and I have examined in English. I also examined with Sir Theodore Morison (he will not object to my mentioning it) in Economics. At the time when I was the Principal of a college I taught many of these subjects, more or less

18863. You mentioned that a large donation had recently been given to the University. What was the amount of that donation?—Fourteen lakhs of rupees.

18864. Supposing a somewhat similar donation were given for the purpose of starting an institution for the preparation of candidates for the simultaneous examination of the Indian Civil Service, what effect do you think that would have?—Do you mean to ask what the University would do in that case.

18865. No. I mean what effect, in your opinion as an educationist, would it have on the chances of Indians being successful at the simultaneous examination?—I suppose it would be a material help to students wishing to prepare for that examination.

18866. We have heard a great deal about an institution called Wren's in England, a crammer's establishment. Do you think that there is any reason why a similar institution should not be started in India, provided the money could be put down for it?—It would be quite a new thing in India; but I suppose it could be done. Hitherto there has been nothing in India in that line, nothing in that kind of special coaching alone.

18867. If the money were available for starting a special coaching establishment, you think it might be done?—Yes, I suppose it might be done.

18868. Have you any experience with regard to the abilities of Indian students for learning languages, particularly the Bengalis?—Yes, to some extent. I do not think they are very quick at learning foreign languages. Attempts have been repeatedly made at this University to teach French and German, but it has never come to much. The students seem very slow in acquiring those two languages.

18869. Although the arrangements for instruction in those languages have been suitable?—Yes, they were fairly good, but our experience was not encouraging.

18870. Not encouraging from the fact that there were only a few students who took it up; or, was it, that the standard was not good?—The progress of the students seemed to be very slow.

18871. (*Mr. Fisher.*) What is the normal age at which a man takes his B.A. at Calcutta University, as apart from the minimum age; what is the most general age?—The general age is 21.

18872. You would say that more people took their B.A. degree at 21 than at 20?—Yes. Of course, there may be some who will take their B.A. degree even later. If you took the average, I suppose it would be at about 21.

18873. Would you get any people taking their B.A. degree at the minimum age?—Yes, we get a fair number.

18874. About how many would you say there would be in any one year?—I am not prepared to answer that question without having looked up the statistics; there have been so many changes recently. The effect of the sixteen years' rule is not yet fully tested in that connection. Formerly students came up at an earlier age for the entrance examination. Now they cannot come up before they are sixteen years old.

18875. That would mean that many of them are better prepared and have better chances of passing the B.A. examination after four years?—The statistical effects of that I do not think have been properly calculated, so far.

18876. What would be the normal age for taking the M.A. degree?—The normal age for taking the M.A. degree would be simply two years after taking the B.A. degree. The M.A. candidates are well prepared. They have a very good chance of passing at their first trial.

18877. In other words, the two years is not a maximum, it is only a minimum?—Yes.

18878. I understand that candidates for the M. A. degree can be examined in one subject?—Yes.

18879. Could you give me an idea of the scope of the examination in Mental and Moral Philosophy; what sort of books would be used?—It is a very extended course.

18880. Would a candidate, for instance, have to be acquainted with the works of Kant, and Leibnitz, and Descartes in the translations?—Kant would certainly come into the course, and possibly Descartes, or Leibnitz.

18881. Would they have to be familiar with any Greek thought, in a translation?—Yes; for instance, there is a paper in the History of Ancient Philosophy which presupposes a knowledge on the part of the candidate of the History of Greek Philosophy. We had in different years, also, special works by Plato and Aristotle, in translations, as part of their course.

18882. Would there be a paper on Psychology?—Yes. There are papers on Psychology and papers on Ethics. There are papers on what are called General Philosophy and Metaphysics. There are certain other optional branches which can be taken up. There are altogether eight papers.

18883. Would there be any paper on Oriental Philosophy?—Yes, there is one paper on Indian Philosophy; and, as an optional subject, there is a special branch of Indian Philosophy on which two papers will be set.

18884. Taking the Psychology paper, would the students be expected to know anything of Psycho-Physics? Would they take up the work of Wundt, for instance?—Not specially Psycho-Physics. We have a special course for Psycho-Physics, but that is not taken up by the students. They would know something about the subject. They have a number of books to read, but they would not specialise in that.

18885. Can you tell at all what the scope of the M.A. examination in History is?—Yes.

18886. Would there be several optional subjects?—I have the calendar here. There is a good deal of option in the History course. "The course in History shall be as follows:—M.A. course in History. First paper: a selected period of English History. Second paper: a selected period of Indian History. Third paper: General History of the Ancient East. Fourth paper: Constitutional History of England. Fifth paper: International Law." Then for papers 6 and 7 there is option. A candidate may either take up the History of Islam, or a special period of Indian History, or the Economic History of England and India, or Comparative Politics, or a special period of European History. Those would be papers 6 and 7. Paper 8 is an Essay.

18887. Can you tell me which of the M.A. subjects is most popular?—At the present English Literature is most popular. There are also many students in History, and a considerable number in Economics; but that is quite new. The old subjects which were formerly taken up, I will not say exclusively, but largely, were English Literature on the one side, and Mathematics on the other; but now, in recent years, History has come to the front, and also Economics. These four subjects would be those which are taken up most at present. English would stand first.

18888. Are young men being trained to the Arts side in increasing numbers?—The number of students reading for the M. A. have very largely increased during the last three years.

18889. And upon the other side, which subject is most popular, Mathematics?—Yes, Mathematics has the greatest number of candidates.

18890. What provision is there for teaching? Is all the teaching given through lectures or is there any individual teaching as well?—Most of the teaching is given through lectures; but there is a certain amount of, what I might call, individual teaching, students writing essays, which are gone through and discussed by the lecturer. But there is not as much of that work as would be desirable. As a rule, the teaching staff is not strong enough, numerically, to do much in that line.

18891. How many M. A. lectures do the lecturers give a week?—Some of them lecture daily. It depends upon how many men there are to teach a special branch. For instance, if there are four or five, each of them would lecture less frequently than if there were only two.

18892. Has the lecturer any means of really getting to know his students, and to make friends with them? Is that usual, or are the classes too large?—That is possible only in the case of very small classes. As a rule, the classes are too large.

18893. So that the moral control of the teacher upon the student is rather imperfect at present?—Yes, it is imperfect at present.

18894. Are a large number of students engaged in earning their own living while they are going through their University course, as in America; or, is that not the case?—No; there is a certain number of students undertaking private teaching, but I should not say that the number is very large.

18895. Putting aside the whole question of the Indian Civil Service examinations, and supposing you were thinking out a programme for the intellectual development of your University, what main directions do you think it ought to take? For instance, do you think that one of the crying needs of Indian University life is more teaching in the Universities, more moral control; or, what would you say was the chief need at present?—I think what is needed most is a certain amount of teaching of the highest character, the most advanced teaching leading up to original work and research in the different branches. That is certainly needed.

18896. Are there many research students?—There are not yet many, we always have some. There would be more research students if there were teachers to devote themselves specially to that—teachers qualified to guide research. This is what we aim at in the University professorships, some of which I mentioned before as having been founded.

18897. You keep a register, I suppose, of the books taken out of the University Library?—Yes.

18898. Do you note any great increase in the amount of independent reading amongst students?—The students largely use the libraries of the colleges from which they come; but our present University M.A. students take out books largely at the present time. There is certainly an increase there.

18899. I gather that the criticism which has been passed over so much of Indian education hitherto has been that the student has been rather the slave of the examination text-books, that he has read his text-books and learnt them by heart, but that he has done no amount of real intellectual work. Do you think that tendency is being diminished?—Yes, I think there is more independent reading now than there was, let us say, ten or twenty years ago, certainly.

18900. People are beginning to think less of examinations and more of the work, for the work's sake?—Yes, I should say so.

18901. (*Sir Murray Hammick.*) In connection with your History and Law Examinations, have you had any experience of the difficulty of maintaining the secrecy of examination papers in India?—No; I personally have had no difficulty. One has to be very careful, of course, and take a considerable amount of trouble in order to keep things secret; but it may be done with proper care. Very much depends, of course, on the kind of examination. In some examinations, where the number of candidates is very large, the question papers have to be sent out to many different places, and afterwards the answer-books of the candidates have to be sent in from all those places to a central place. In connection with that there are many risks, certainly. Occasionally, something goes wrong; but with proper care the secrecy can be maintained.

18902. If you had a large examination held for the Indian Civil Service, in one place in India, in one town, you think it would be reasonably easy to secure that the examination papers never leaked out?—Yes; that could be managed perfectly well.

18903. I do not know whether you saw a case, probably you know all about it, which appeared in the papers a few days ago, in which students actually tried to bribe the examiner to substitute papers after they had sent them in. It was only the other day. I do not know what the examination was; I think it was some law examination?—Yes; I know about that.

18904. Have you ever in your career heard of cases of that sort before?—I do not remember a case of an examiner having been approached in that way; but I know of cases where a similar kind of fraud was attempted with the help of clerks, and people of that kind. I remember a case connected with the Middle English Examination in the United Provinces at the time when I was Registrar of that examination, where a candidate bribed a clerk and some other people, I suppose some servants, where the covers of the answer-books were exchanged. The matter came out later in some way, and the man who had done that was sent to gaol. This was an examination where there was an enormous number of candidates. It was not at a central place. It occurred in connection with the forwarding of the answer-books of the candidates to the central place. That was not properly supervised. Had it been properly supervised it would have been avoided. If the examination was held entirely in one central place all these dangers would not arise.

18905. Does the Calcutta University send its examination papers home to be printed?—Yes, at least part of the question papers of the University are sent home to be printed, not all.

18906. And there has never been any difficulty in the matter of securing the papers coming from England from being tampered with in the post, or anywhere else before they reach the University?—They are sent from a first-rate Press at home in an absolutely safe way. Here, in Calcutta, I am myself in charge. I have sent out everything myself for the last six years, and there has been absolutely no possibility of those papers being tampered with before they reach me. Of course, the point is to keep them in a very safe place, and to keep a constant eye upon them, and not to trust clerks and people of that kind too much.

18907. At the time of the Public Service Commission, 1886-87, it was continually said by witnesses that Indians would have no chance whatever of passing the Indian Civil Service examination if held in India, at that time; do you think now, at present, say in the next five years, if you had simultaneous examinations started in India, that a considerable number of students in India would be successful?—I cannot say that there would be a considerable number; but they would not be excluded altogether. I think that some of our best men might very possibly be successful.

18908. (*Mr. Macdonald.*) You say you send some of your examination papers home to England to be printed?—Yes.

18909. You do not send them all home, do you?—No, we do not send them all home.

18910. You send some of these papers out to centres, as I understand, for certain of your examinations?—Yes.

18911. Where the examination is not held in Calcutta only for your University, you have to send the papers out to say place A, place B, and place C?—Yes.

18912. Those examination papers go through your hands first of all, do they not?—Yes.

18913. Do you find any difficulty in keeping those papers, which you have to send out to the various centres, private?—I find no difficulty as long as they are in my hands, and up to the time of their going to the Post Office in Calcutta. These papers are very safely packed. They are, of course, registered and insured, and then the Post Office becomes responsible for them. We have never found that anything has gone wrong in the Post Office. After that they go into the hands of the Superintendents, as they are called, of the various centres. Leakage may sometimes have occurred at that stage when the management was not quite perfect; but the cases where something went wrong, even in that way, were very exceptional. There will be always risk if papers have to be sent out instead of the whole examination being held in one place. If there is one central place, with due care and precaution, there is no risk whatever.

18914. I really wanted to find out whether you would not say a little more than that. Even where you have to send the examination papers out to three or four districts, if you take proper precautions for the delivery of the papers there is not very much risk, is there?—No. You see the papers into the hands of, what I call, the Superintendents of the centres. The Superintendent of a centre must receive the papers some time before the examination begins, and then, of course, he must keep them in safe custody. Perhaps it is expecting too much that that should always be done perfectly in different places. It very often happens that the Superintendent has to keep the papers at his private house, and possibly something might happen.

18915. Would you care to tell us of any case which has come before you which would seem to show a leakage; the most recent one would be pretty old, I suppose?—I remember no case in connection with the Calcutta University.

18916. You remember no case at all in connection with the Calcutta University?—No. There was some leakage about five years ago in connection with an examination of the University of Allahabad.

18917. I am asking about Calcutta?—No.

18918. I have been enquiring about this, and my information is that within recent times neither in connection with an examination held in Calcutta, say your M.A. examination, nor in connection with an examination held in centres, say the B.A. examination, has there been any substantial case, or any real case, with regard to leakage in examination papers?—There has not been in recent years. I may, perhaps, mention one point. At the time when an examination approaches in Calcutta there are all kinds of rumours that papers have leaked out (I am troubled with that every year), but those rumours have never been substantiated.

18919. You have enquired into them all?—They are mischievous, largely. What not infrequently happens is that people sell questions to candidates, maintaining that they are the questions which will be set at the examination. Cases of that kind have come to my knowledge before the examination has begun, and I have had the time to compare those questions with the questions which have been really set; and in each case the whole thing was false. That is my personal experience.

18920. The case to which Sir Murray Hammick referred, the law examination, that was not conducted by the University of Calcutta, was it?—No.

18921. It was not conducted by, what you would call, an experienced examining body?—No.

18922. It was an examination conducted by a Committee appointed by the High Court?—Yes, it was a High Court examination.

18923. It was conducted by a Committee?—Yes. It was not conducted by the University at all.

18924. (*Mr. Gokhale.*) How many students, generally, have you for your Matriculation examination now?—The numbers have gone up very much of recent years, six or seven thousand, and even more than that. This year, I think, we shall have about nine thousand.

18925. Can you tell me how many examining centres you have for the Matriculation?—There are a large number of centres. I am not good at remembering those figures. There may be thirty to forty centres.

18926. During the six years you have been Registrar here you have experienced no difficulty, have you, in conducting this examination properly at the various centres?—No.

18927. Did I correctly understand you to say that such risk as there was, was specially in connection with the lower examinations?—Yes.

18928. The higher you go in the scale of examinations the less the risk?—Yes, that is my experience. The few cases of something going wrong which I remember, not here in the Calcutta University, but partly in the United Provinces and partly in other parts of India, were, as far as I can remember, always connected with the lower examinations.

18929. The Indian Civil Service examination would be one of the highest examinations, and the risk, therefore, would be comparatively very small?—Yes, the risk, I should think, would be very small.

18930. I will put a practical question to you. If you were asked to undertake the conduct of such an examination, would you do so?—Yes, without any hesitation.

18931. You would have no fear of any leakage?—I would have no fear whatever; though one naturally does not like to express too absolute a confidence in matters of this kind.

18932. (*Mr. Fisher.*) Let us suppose an M.A. has taken up English Literature, an average M.A. of the University. What else, besides English Literature, would he know?—He would specially know the other subjects which he has taken up for his B.A. examination.

18933. And what would those subjects be?—It might be a classical language, or History, or Mathematics. They take up three subjects for the B.A. examination. There are various combinations. For instance he might take English Literature for the B.A., and History and Economics; or he might take English Literature, History, and a classical language, and so on. There are a number of combinations.

18934. If he takes up English Literature for his B.A., can he also take it up for his M.A.?—Yes.

18935. And that would generally be done?—Yes. The M.A. is a much higher stage.

18936. (*Mr. Gokhale.*) The opinion has been expressed that when an examination like the Indian Civil Service examination is instituted here it would have a very deleterious effect upon University education in this country. I want you to tell us who determines the curriculum of University education in India?—The curriculum is determined by the Senate. As you know, the machinery goes in that way. First, they come before Boards of Studies, and from Boards of Studies they go to the Syndicate, and the Syndicate makes certain regulatoins and rules which have to be passed by the Senate; and then, finally, the sanction of Government is required for every University test in that line.

18937. No change could be made without the sanction of Government?—No.

18938. And any change that has to be made has to be recommended by the Senate?—Yes, any change has to be recommended by the Senate.

18939. No college can independently make any changes in the curriculum?—Not in the curriculum for the University examination. It might be done privately in the colleges.

18940. That would not be part of the work of the colleges as inspected by the University?—That is so.

18941. The Senate changes practically every five years, does it not?—Yes.

18942. And four-fifths of them are appointed by the Government?—Yes.

(The witness withdrew.)

(Adjourned to Delhi.)

DUNCAN JAMES MACPHERSON, ESQ., C.I.E., Member of the Board of Revenue, Bengal.*

Written answers relating to the Indian Civil Service.

18943 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—(*a*) I passed the open competition for the Indian Civil Service in 1876 and, after two years' probation in England, joined the service in Bengal towards the end of 1878, so that I have now had over 34 years' experience of the working of the system of recruitment by open competitive examination. (*b*) Yes, subject to what I shall say under question (6).

18944 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Please see under questions (6) and (15).

18945 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—There are certain large sections of the Indian community, *e.g.*, the Muhammadans, who, at present, do not succeed in competitive examinations as well as others, *e.g.*, Bengalis. I do not think that any alteration is needed on this account, as no other general test applicable to such classes can be substituted than that of proved fitness ascertained in actual work, and this will best be provided by entry through the Provincial Service.

18946 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I do not think so.

18947 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—My impression is that latterly the combination with the Home Civil Service has not been to the advantage of Indian interests, but the main reason for this is a general diminution in the attractiveness of an appointment in the Indian Civil Service, which is due to several causes. Information is not at my command showing whether the men who have passed among the highest of recent years have been showing an increasing preference for the Home Civil Service.

18948 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by head masters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by head masters or University authorities and selection under the orders of the Secretary of State (*d*) Combined nomination and examination (*e*) Any other method? I should prefer a system similar to (*d*) under which only nominated applicants who have been approved by a Selection Board should be admitted to the competitive examination. But I fear it would be extremely difficult to devise a practicable system of nomination, having regard to the large number and different classes of educational institutions in the British Empire. Perhaps it might be possible in the case of candidates from the Colonies to accept selection by the respective Governments for admission to the competitive examination; but in the United Kingdom itself it would be difficult to draw the line among institutions in the various parts of the country, the heads of which might be given nominations. Nor do I see how selection of Indians by the Government of India would be practicable, having regard to what I say in answer to question (7) below, as it is desirable that such should have as long a period of education in England as possible prior to entering for the examination.

18949 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to this. The recruitment for the Indian Civil Service, at any rate in Bengal, is now only for the *higher* posts, the occupants of which alone represent the British element in the general administration of the country; and the number of these posts filled by Europeans has now been reduced in Bengal to about the minimum that is necessary to secure the maintenance of the British character of the administration. So far as recruitment goes beyond this, it is merely for the purpose of providing a training for those who will occupy the higher posts. The object aimed at is to obtain for these high posts men who possess the qualities of sustained energy, organizing capabilities and driving power in which the Indian is deficient as compared with the Briton, and who also, through British upbringing and education, have become saturated with British ideals to direct and regulate the exercise of these qualities and give a high tone to the Administration. The mere passing of an intellectual examination even when held in England, is not of itself sufficient to secure this. It is, however, a test in the sense that success at it may ordinarily be held to postulate the requisite upbringing and education combined with the possession of ability out of the common. Logically, indeed, Indians should be excluded from competing at it unless they have received a large part of their education in England in the appropriate environment; and their admission to the examination there, while in any case required under the terms of Queen Victoria's Proclamation of 1858, proceeds on the assumption that this will ordinarily have been the case. The Indians who have passed into the Indian Civil Service in this way have, as a fact, proved themselves distinctly superior to and more suitable for the higher posts than men appointed direct in India, either through the Statutory or through the Provincial Civil Service. If the position indicated above be accepted, the question of a simultaneous examination in India must at once be ruled out. There are races and classes of Indians who have a knack of cramming for and passing intellectual examinations. These are, generally speaking, the less virile—those indeed who have generally been more successful in passing the examination in England than other Indians. Their deputation to England for a couple of years after passing the examination in India would not produce that saturation with British ideals which is the result of general education in England. A system of simultaneous examination in India and England would result in the gradual elimination of the British element in the higher administration of the country.

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* Mr. Macpherson's evidence was actually taken at Delhi on the 22nd February, the Chairman and the following Members being present:—

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
HERBERT ALBERT LAURENS FISHER, ESQ.
JAMES RAMSAY MACDONALD, ESQ., M.P.

18950 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—No.

18951 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I do not favour this proposal. It is open fully to the general fundamental objection to simultaneous examination in India stated in my answer to question (7). Logically also it should result in closing the higher posts completely to the Provincial Service.

18952 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any systems of the kind. The general fundamental objection stated in question (7) would equally apply.

18953 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No. I consider that the general training in magisterial and revenue law and practice, in the vernacular languages and in knowledge of the habits and modes of thought of the people, which every civilian gets during his first few years in this country, is of the greatest possible value to a judicial officer. The open competition in England is as good a way as any of recruiting for this branch of the service, and it is quite feasible to impart to its members as efficient legal training as any barrister or pleader who would be likely to be recruited separately would possess.

18954 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I should be inclined to eliminate the reference to place of birth. The essential thing is to embrace all who have from early youth cast in their lot with this country, irrespectively of the accident of where they were born. I am also disposed to extend the definition so as to include persons belonging to Native States in India.

18955 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I think that the age-limits should be fixed with reference to the age at which men may be expected to complete a University course in England. At the same time, it is essential that they should come to India not later than the age of 24. Personally I should prefer 20 and 22 as the limits, but I understand that the maximum would have to be 23 to secure men who have been through a complete course at Oxford or Cambridge. In that case the minimum should be 21. An earlier age would be more suitable in the case of men from Scottish Universities, but it is important that the limits should be adapted for securing men also who have been through a course at a residential University like Oxford or Cambridge; and it would be an advantage if these Universities would arrange that men who have taken a degree at a Scottish University, as they generally could before the age of 21, should be able to come on to Oxford or Cambridge and complete an Honours course there by an age not later than 23.

18956 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years followed by one year's probation)?—I do not think that the men who came out when the age-limit was 17—19 were so satisfactory as those who came out subsequently. My impression is that an undue proportion of them broke down physically, owing to the strain put upon them to pass the open competition by the age of 19; and they had less knowledge of the world.

18957 (18). What is the most suitable age at which junior civilians should arrive in India?—I think not later than 23 or 24.

18958 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—(*a*) I think from 21 to 22 or 23 would suit such candidates best, as it would give them a greater chance of profiting by being educated in England after becoming sufficiently advanced with their studies before leaving India, and the later the age the more likely would it be that candidates who are successful would have acquired steadiness of character amid the new surroundings of English life. (*b*) I do not recommend any differentiation in age-limits.

18959 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—(*a*) On the principle laid down by Lord Macaulay's Committee, with the option, as at present, of two or three additional subjects the study of which would be useful to a member of the Indian Civil Service, but to which only moderate marks should be assigned so as to prevent undue diversion from subjects of general utility; (*b*) Yes.

18960 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of University-leaving age?—I am not sufficiently acquainted with the present curricula in schools and Universities in England to form an opinion on matters of detail, but I should think that the present syllabus is a suitable one.

18961 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I do not think so—not beyond the present differentiation resulting from the inclusion of Sanskrit and Arabic.

18962 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]—(*a*) Yes, for the general reason stated in the answer to question (7), and to attract candidates of the requisite stamp. (*b*) I think the schedule may stand as it is, unless it be thought desirable to exclude appointments that are now non-existent and bring up to date the designations of others.

18963 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I certainly consider that the proportion of Europeans employed in the higher posts should not fall below a certain minimum. This is essential if the character and tone of the administration is to remain British [*see* answer to question (7).] The proportionate minimum would probably vary according to the circumstances of each province. I consider that, taking Indians who pass into the Indian Civil Service by competition in England and those who may be appointed to listed posts in India, the total proportion of "Natives of India" in Bengal should not exceed one-sixth or at the outside one-fifth. As a matter of principle, the maximum proportion of "Natives of India" should not be exceeded, howevermuch the number who succeed in passing in through the open competition in England may vary.

18964 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and if so, what?—I think that recruitment should be, as as present, in both ways, subject to the proviso mentioned in the answer to the last question as to the general maximum recruitment of "Natives of India."

18965 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—(*a*) Taking the term efficiency in the sense in which it is required in officers filling the higher posts in the Administration, the answer is in the negative. The *proportion* of "Natives of India" who fail in this respect is far greater than the proportion of Europeans. (*b*) Generally speaking, it has not been possible and expedient to employ them in charge of heavy and important districts, in Commissionerships or in the higher posts in the Secretariat.

18966 (28). Do you consider that the old system of appointment of "Statutory civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I think that the present method of selection from officers who have proved their fitness by work in the Provincial Civil Service is much better.

28967 (37). Does the system by which most of the inferior listed posts are merged in the

Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I do not think that it is sufficiently realized that a certain number of posts of Assistant and Joint Magistrates has been transferred to the Provincial Civil Service. I shall discuss the matter in answer to question (20) relating to that service.

18968 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I think that it is suitable.

18969 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—No. They are inferior also to the "Natives of India" who belong to the Indian Civil Service.

18970 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—In my experience, a course of probationary instruction in England is most useful. It gives a grounding in principles to which an officer would probably not devote himself sufficiently after arrival in India, and it gives him an opportunity of enlarging his knowledge of the world.

18971 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—I think that the probationary course should extend over two years, but that this should be divided equally between England and India, provided that the course of study and training in each year is readjusted in the manner to be described in the answer to question (51) below. The way the one year's probation in England is utilized at present is largely a waste of time.

18972 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—No, not when the maximum age for admission to the open competition is 23 or 24.

18973 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes: their probation does not commence until they are of an age when they should not be entirely dependent on family allowances, and to withhold such allowances would tend to induce successful candidates to elect the Home in preference to the Indian Civil Service. I think that in England they should receive £50 at the beginning of each half-year and £100 at the close of the year, the two latter payments being dependent on satisfying prescribed tests, namely, passing an examination at the close of each half-year and satisfactorily reporting cases heard during attendance in Courts. In India the allowance should be Rs. 400 per mensem.

18974 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—I think that selected candidates should be allowed some latitude in this respect. They might be allowed to divide their time between a University where instruction in the prescribed branches of law could be obtained, and London, where they should attend the law courts, or to spend it entirely in London. There seems no reason why young men who pass between the ages of 20 and 22 or 21 and 23 should not be relied on to pursue a steady course of reading and training in London; and they will be all the better of the knowledge of the world they may thus obtain.

18975 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No. All that would be needed would be to see that the necessary facilities for the study of the prescribed branches of law are available.

18976 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—(*a*) Yes. (*b*) I do not contemplate the case of men passing direct from school.

18977 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—The essential feature of the one year of probation in England should be a training in law. This training should be in the principles of law (including the rules governing the interpretation of statutes), Roman law and the Indian Evidence Act, combined with attendance at various classes of Law Courts and the reporting, with comments, of cases heard during such attendance—the latter a most valuable form of training the abandonment of which in 1891 was, I consider, a great mistake. Selected candidates might also be encouraged to study either Persian (with the elements of Arabic sufficient to explain the formation of words and phrases in use in that language and in Hindustani), or Sanskrit, and the grammar and elements of Hindustani, but not to such an extent as to trench on an adequate training in law. The above course of training can best be imparted in England. The second year of probation to be spent in India should be devoted to acquiring a knowledge, both academical and colloquial, of the vernacular languages current in the province to which the selected candidate has been allotted, and to the study of the Indian Codes and Hindu and Muhammadan Law. The study of Persian (with the elements of Arabic) or of Sanskrit should be encouraged also at this stage as described above, and in Bengal it is advisable also to encourage the study of Hindustani. There should be half-yearly examinations both in England and in India.

17978 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.—(i) This is very valuable (*see* above); (ii) The study of Indian Law in England should be confined to the Indian Evidence Act; (iii) in England the study of Oriental languages should be restricted as described above; (iv) I do not think any of these need be included in the syllabus for the probationary period either in England or in India. Probationers might, however, be told that they are expected to make themselves familiar with the geography of India.

8979 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I think it can best be divided equally between the two, if appropriated as described in the answer to question (54).

18980 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not think, having regard to the great variety of languages current in different parts of India, that it would be of any use to start a central college in India for the training of probationers for one year only.

18981 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am inclined to think that separate training colleges for Bengal (with Assam), Madras, Bombay, Burma and Upper India (with the Central Provinces) would be useful during the year of probation in India, and Police officers recruited in England could be trained at the same colleges. The expense, however, would probably be unduly great in most cases. During vacations probationers might be drafted to districts in order specially to familiarise them with the colloquial language. The alternative in, at any rate, Bengal and probably Bombay, would seem to be to distribute probationers among selected districts for the whole period, as they would be apt to waste their time amid the social distractions of large cities.

18982 (56). In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I dissent from the view expressed by the Treasury Committee so far as regards the study of the modern vernacular languages and of the Indian Codes.

18983 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No, except that a "Native of India" should take up an additional vernacular language current in some part of his province (should there be any such) other than his mother-tongue. In Bengal, as now constituted, he should take up Hindustani.

18984 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I think they are suitable in Bengal.

18985 (61). Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?—The rules, as recently revised in Bengal, seem suitable, but a study of the principles of book-keeping should be added. The District Officer should be careful in deciding what Magistrates' courts should be attended for the purpose of preparing records and notes of cases.

18986 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—(*a*) Yes. (*b*) The shortening of the period of probation from two years to one, the increase in desk-work, and the greater use of English among the Indians who come into contact with the officers of Government. (*c*) I doubt if this has been the case in recent years, but steps have been taken to remedy this defect in Bengal, while there will now be only one language to acquire there.

18987 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—The rules have recently been revised in Bengal and seem suitable.

18988 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in Barristers' chambers or other) and what conditions do you propose?—In the first place law should be studied by all officers of the Indian Civil Service during a probationary period of two years as described in the answer to question (51). This should produce a marked improvement on the present state of things. All officers should also receive some training in survey and settlement work at an early period of their service, which will familiarise them with the rent law and the revenue system of the province and enable them to interpret maps: for judicial officers this might be limited to 2 to 3 months. Officers who select the Judicial branch should, in addition, be given a year's study leave to England for the special study of civil law (especially as applicable to India), including Hindu and Muhammadan law. I think that this should be taken in the sixth year of service and might be combined with one year's ordinary furlough. On return to India, when not officiating as a District and Sessions Judge, the officer should be employed in trying cases as a Subordinate Judge. I refrain, however, from entering into details, as this is rather for judicial officers to discuss.

18989 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—I do not very well see how this could be arranged for without making officers elect for service in the Judicial branch at too early a stage and taking them off general administrative work: otherwise it would be an advantage if they were to study the Indian Civil Codes in India. After, however, five years' experience of India, I think that they would be able to master these during their study leave in England; and they should undergo an examination in them at its close.

18990 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Only as mentioned under question (64), as I do not think any officer of the Indian Civil Service should be divorced from general administrative work (including some training in survey and settlement) until he has completed at least five years' service.

18991 (67). Do you recommend any system for encouraging the higher study of law, analogous to the rules for the encouragement of the study of Oriental languages?—I do not think this necessary.

18992 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

18993 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—I do not think so.

18994 (71). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior posts," carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—Subject to what I may say later on as regards the salary that should be attached to "superior posts," I consider the arrangements and period of eight years suitable.

18995 (73). It is also part of the existing system that officers of over 2 but under 8 years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—Subject to the grant of increased grade pay to Assistant Magistrates on the passing of each half-yearly departmental examination and to what I may say later on as to an increase in salaries generally, I consider this arrangement suitable.

18996 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am in favour of selection for higher appointments and of the compulsory retirement, on proportionate pensions, of inefficient officers. But I am strongly opposed to the pitchforking of comparatively junior officers, who happen to display brilliant qualities, over the heads of a considerable number of good officers a good deal senior to them. Young men can afford to wait, and if they are put into very high posts before they earn full pension, difficulties arise in providing for their subsequent employment. This in turn would be apt to fetter their independence in placing the results of their experience before their superiors. The wholesale supersession of senior officers by junior men has an extremely demoralizing effect. Very great care is needed to prevent the system leading to grave abuses that will have a most prejudicial effect on the efficiency and contentment of the service.

18997 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?—The two branches are kept quite distinct in Bengal once officers have entered continuously into them.

18998 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—A general increase in salaries is required if the service is to attract as good men as formerly and men who will be able to keep up the social position expected of, say, the head of a district. The present scale of salaries has, it is believed, remained substantially unchanged for the last three-quarters of a century. Within the last 30 years there has been a great increase in the cost of living (including house-rent). The depreciation of the rupee has seriously affected the expenses of living generally, and not merely those which have to be incurred in England. It is the exception for officers with families to be able to save anything at all. Everyone without private means has a constant struggle to keep out of debt, and this is only attained by refraining from maintaining the social position which used to be expected of them. It is impossible for them, for instance, to give anything like the lead they ought to in local subscriptions. All this detracts from the esteem in which they should be held by the community among whom they live, and is not without a prejudicial effect on the administration generally. I consider that salaries in, at least, the lower grades should be raised by about 25 per cent. in Bengal, where the cost of living has particularly increased. An Assistant Magistrate should begin on Rs. 500 and rise to Rs. 550 on passing the Lower and to Rs. 600 on passing the Higher Departmental Examination. Joint Magistrates should receive Rs. 800 and Rs. 1,000 and Collectors Rs. 1,800, Rs. 2,250 and Rs. 2,500. District Judges should receive Rs. 2,000, Rs. 2,500 and Rs. 3,000 as they do at present in Bengal: this is sufficient differentiation in their favour as compared with Collectors to compensate them for not being eligible for a variety of high posts for which executive officers are usually selected, in view of the increasing number of High Court Judgeships open to the Judicial branch. Commissioners should receive Rs. 3,000, and the Member of the Board, Rs. 4,000. If all these concessions cannot be granted, the most pressing is to raise the pay of the lowest grade of Collectors from Rs. 1,500 to Rs. 1,800; and next to that the pay of Assistant and Joint Magistrates. At the same time the 4 per cent. contribution towards pension should be abolished throughout the service.

18999 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Dissatisfaction is certainly felt with regard both to the higher and lower posts, but most of all as regards the pay of the lowest grade of Collectors and that of Assistant Magistrates. The discontent has been accentuated since the necessity for increasing salaries in other services has been admitted.

19000 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—I do not think this necessary, having regard to the considerable difference in the cost of living in the various provinces, *e.g.*, in Bengal as compared with the up-country provinces.

19001 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I think it should be continued. If it be abolished, this should be only as regards future entrants, and there should be an equivalent increase in salaries to represent it.

19002 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—I think it should certainly be continued.

19003 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—I think it should be continued, but the case is not so strong as that to which question (97) relates.

19004 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of a salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—If salaries be raised as proposed in the answer to question (92), I should not favour a time-scale. Otherwise, a time-scale on the system suggested in question (100) would be necessary, that is, one applicable to each main class of appointment.

19005 (104). Turning now to the case of the statutory civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—Yes, I think there are substantial grounds for a difference in salary to this extent. Such officers have had a much less expensive education than members of the Indian Civil Service; their services are not of the same value; they have long been accustomed to a lower standard of living, and there is no obligation on them to educate their families in England.

19006 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—I am under the impression that less furlough is taken now than was the case 10 or 15 years ago. If it be a fact, it must be due to officers being unable to afford it. To a certain extent also I should think that the amount of furlough usually taken at one time has been diminished by the amount of privilege leave that can now be combined with it.

19007 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I should think that since privilege leave could be combined with furlough, this is probably the case; but before that the exigencies of the service caused a good deal of privilege leave to lapse under the three months' maximum (it has been so in my own case).

19008 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—See answer to question (106). I think that the total amount of furlough admissible during service should certainly remain as at present, but that the maximum admissible at one time may be reduced to 20 months.

19009 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—No. I think half pay exchanged at 1*s.* 6*d.* for the rupee should be allowed in all cases, subject to a minimum of £500. The present maximum of £1,000 is not enough in the case of officers filling high posts.

19010 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—The concession should remain.

19011 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?—See answer to question (109).

19012 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—I think that the rule under which an officer who has taken part of his special leave must render 6 years' active service before he can again have such leave should certainly be abolished. Such leave and extraordinary leave without allowances should be placed in the same category, and should be admissible at any time, the amount carrying allowances on the scale applicable to ordinary furlough being restricted to six months. I think one year's furlough should be admissible after completion of the first 5 years' service I think also that proportionate privilege leave should be admissible without the restriction of haivng to serve for 11 months after return from furlough or after exhaustion of privilege leave previously due. Ten days or a fortnight may often be urgently required during illness or convalescence or because of illness in one's family in the hills. Subject to the above, I should be in favour of the proposals of the Decentralization Commission under which officers could draw on leave at their credit without any restriction except the convenience of the Administration. I am not, however, in favour of the recommendation of that Commission that furlough due might be commuted into half the amount on full pay.

19013 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?—Yes, those to which I have referred in the early part of my answer to question (112), and likewise the rule preventing the grant of furlough until after the lapse of 18 months after privilege leave exceeding 6 weeks has been taken.

19014 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—In so far as the pension is the same for all who have just completed 25 years service, it is satisfactory. The prospect of this attracts men to the service; but as a rule they do not realize that a very large portion of it is provided by deduction from the salaries which they will receive.

19015 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—There is a very strong feeling that the contribution of 4 per cent. on salaries should be done away with, and that the whole of the £1,000 should be provided by the State, as is the popular impression outside. The contributory system produces great inequalities and diminishes *pro tanto* the value of the State pension in proportion as an individual officer's contributions are greater and his services to the State longer. I fully share the feeling of discontent which is engendered. Pensions varying with the amount of salary drawn at retirement would encourage officers to stay on unduly and occasion blocks in promotion.

19016 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—I think that High Court Judges should receive a pension of £1,200; but Indian Civil Service Judges are at a disadvantage in this respect and can hardly ever expect to obtain the additional £200, which requires service for 11½ years in the High Court before attaining the age of 60. I think that Judges belonging to the Indian Civil Service should obtain the extra pension after five years' service with a proportionate reduction if they have to retire earlier on medical certificate or on attaining the age of 60.

19017 (122). Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—Yes, namely, £1,500 to heads of Provinces, and £1,200 to members of the Executive Councils of the Viceroy and of Governors and Lieutenant-Governors, the Chief Commissioners of the Central Provinces and Assam and members of the Board of Revenue (other than the two junior members in Madras). This should be given after 5 years' service in such appointments, with a proportionate reduction on retirement before that on medical certificate or on completing 35 years' service.

19018 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes, on the same scale as invalid pensions if retirement takes place before the completion of service for full pension.

19019 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—The scale of medical pensions is too low. These should rise gradually to £945 for 24 years' service, as recommended by the Indian Civil Service Association (Bengal Branch) in 1901. The 4 per cent. contribution should be abolished.

19020 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I belong to the old Bengal Civil Fund, not to the Indian Family Pension Fund, with the working of which I am not familiar. I may say, however, that I should like to see the annuity for sons continued to 24 or even 25 years of age.

19021 (130). In particular do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—Yes, under present conditions.

19022 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—Dissatisfaction is felt at the way in which Memberships of the Viceroy's Council are filled. The acceptance of such office should bar appointment to further office in India.

Written answers relating to the Provincial Civil Service.

[NOTE.—My answers should be read as referring specially to the Executive branch.]

19023 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—They seem to be suitable.

19024 (2). Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules at present in force in Bengal for the recruitment of the Executive branch of the Provincial Civil Service are suitable.

19025 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—I am in favour of (*b*), nomination, as the only practicable method of securing due representation in the public service of the different classes of the community which is laid down as essential in the Resolution cited in question (1).

19026 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—(*b*) I consider that in this province Hindus, Muhammadans and domiciled Europeans and Eurasians should all be represented. This can be secured under the nomination system [*see* answer to question (6)].

19027 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—(*b*) I think that the system in force in Bengal is satisfactory.

19028 (10). Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—A knowledge of the principles of book-keeping should be insisted on, and Indians in Bengal should take up both Bengali and Hindustani.

19029 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—It does not occur to me to suggest any change.

19030 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Promotion to the higher grades is made by selection, but not, as a rule, so as to promote out of his turn an officer who is not definitely superseded.

19031 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that promotion to the higher grades should be by selection on the system in force in Bengal. Really inefficient officers should be retired on proportionate pensions.

19032 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The two branches are kept absolutely distinct from first to last.

19033 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil

Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—No change in the existing arrangements in this respect suggests itself to me so far as the posts included in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54), are concerned.

19034 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I do not very well see how these posts could be differentiated with advantage. It would practically involve the selection of officers of the Provincial Civil Service for the higher posts that are kept separate at a stage of their service when it would not be easy to say that they would become quite fit for the latter. I think that every member of the Provincial Civil Service should feel that, if he proves his fitness, he has a chance of promotion to the higher listed posts: this will form an incentive to sustained efficient work throughout almost all his service. This incentive would be very seriously diminished, if not altogether removed, by the definite selection of junior officers of the Provincial Civil Service for posts bearing the designation of Assistant and Joint Magistrateships. At the same time the Provincial Civil Service should realize that a number of the latter posts have been definitely made over to that service. I do not think that this is generally recognised. The fact should be *very prominently* noted in the Civil List and also in the Regulations for recruitment to the Provincial Civil Service.

19035 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I consider the designation altogether appropriate. It should be recognized that in Bengal there is below it a "Subordinate Civil Service," the members of which are ordinarily vested both with executive and magisterial powers.

19036 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

19037 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The grading is suitable, but I think that above the lowest grade salaries might be raised generally in view of the increased cost of living (including house-rent), provided salaries in the Indian Civil Service are also raised as already recommended by me. At the same time I am bound to say that I think that the present rates of pay are sufficient to attract officers with the desired qualifications. Personal Assistants to Commissioners should, in any case, receive an increase in pay in the shape of a local allowance, and Sadar Subdivisional Officers should receive house allowance. I would also add a grade on Rs. 1,000 at the top as in the Judicial branch.

19038 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alterations do you recommend?—The conditions are not such as to render officiating grade promotions necessary; but I believe that the withholding of them causes discontent.

19039 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am disposed to favour a time-scale of salary until the grade of Rs. 500 is reached, subject to the proviso that an officer may be put back under circumstances which at present result in degradation.

19040 (27). As an alternative, do you recommend a system by which each main class of appointments would have a separate time-scale?—There is no separation into main classes in Bengal, otherwise I should prefer a time-scale on the system suggested.

19041 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—The scale might begin at Rs. 250 and rise to Rs. 500 by the time officers ought reasonably to reach that grade. Above that promotion would be by selection. There should be power to keep back increments for misconduct, as already remarked. My proposals relate to the Executive branch. A time-scale would also, I think, be appropriate for Munsifs in the Judicial branch; but I refrain from considering that branch.

19042 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes. *See* answer to question (104) relating to the Indian Civil Service.

19043 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I think that the amount of leave on full pay that can be earned is suitable. It is the same as in the Indian Civil Service. It should be possible, however, to take a proportionate amount of such leave after less than 11 months from return from furlough or after exhaustion of privilege leave previously due, to meet cases of emergency, such as illness.

19044 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The amount of furlough permissible should be increased rather than diminished.

19045 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes.

19046 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

19047 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—I would put special leave and extraordinary leave in the same category, and allow such to be taken whenever needed for urgent private affairs, subject to the proviso that only six months on the whole should carry allowances (*i.e.*, the allowances admissible for furlough). Such leave should be admissible whether an officer has already had furlough or not.

19048 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I think that furlough should be obtainable after less than 10 years' service to begin with (say after 6 years) and after a less interval than 8 years thereafter (say after every 5 years) and that the aggregate amount admissible in 30 years' service should be increased from 2 to 4 years. I have not, however, studied all the leave rules applicable to the Provincial Civil Service in detail. I consider that some differentiation between the leave rules for the European and Indian Services is justifiable.

19049 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—I think they are suitable, except that the average salary on which a pension is calculated might well be for the last 12 months of service and not for 3 years.

19050 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. I would allow pensions proportionate to length of service.

19051 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Yes, subject to what I have said under question (40), but I would raise the maximum in their case from Rs. 5,000 to Rs. 6,000.

19052 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory?—Yes.

19053 (46). Are you satisfied with the existing organization of the Provincial Civil Service?—Yes.

MR. D. J. MACPHERSON called and examined.

19054. (*Chairman.*) You are a member of the Board of Revenue, Bengal?—Yes; that is my substantive appointment at present.

19055. We regret that time prevented our examining you at Calcutta, but we are glad that the opportunity has now presented itself of examining you here. You say, in answer to question (6), that, in theory, you are in favour of a system of recruitment by selection for the Indian Civil Service?—In theory I should be in favour, as I say, of nomination and selection, followed by competition among those who were approved to go up for the examination. That is only in theory. I am afraid I cannot work out any practicable scheme which would give effect to it.

19056. Is this because there would be opposition to it; or because of the intrinsic difficulty of the problem?—Not because of the opposition to it, but mainly because I have for thirty-four years been divorced from England, so that I do not know what the present system of education is there, and what the different classes of institutions there now are, and how nominations could be apportioned; and I am also concerned with the difficulties between the different portions of the British Empire.

19057. So that it is mainly because of your lack of knowledge of the system in England that you refrain from offering any suggestions in this direction?—That is distinctly the main reason; so much so, that I have not attempted to think out a scheme.

19058. You realise that there are very great difficulties in the way of it?—Yes.

19059. You are opposed to simultaneous examination, and also to separate examinations?—Yes.

19060. You are opposed to separate examinations because such a system would close the higher posts to members of the Provincial Civil Service?—I say that if you are going to have a separate examination, and hold that that is the best way of recruiting Indians in this country, then logically you should exclude recruitment through the Provincial Civil Service.

19061. Do you not think that you could retain the listed posts and also have an examination for Indians in India?—Yes; that is quite possible. I said that logically it would result in closing the higher posts on the theoretical ground that separate recruitment in India was understood to be direct recruitment otherwise than through the Provincial Civil Service, and would be recommended only because it would be considered the best system in India.

19062. Cannot you conceive of the double system in practical operation?—Yes; distinctly, I can.

19063. Would you offer any objection to seeing the two in operation?—I should not supersede the present method by such a system, but it is distinctly superior to the proposal of simultaneous examination. I am afraid that it would have one effect, namely, that it would completely lower the status of the Provincial Civil Service; at any rate it would tend to lower it; which, I think, would be a disadvantage to the administration.

19064. Why do you say that a separate examination any more than the existing examination in England would tend to lower the status of the Provincial Civil Service?—Because the men would be obtained practically from the same classes; in fact, they would be entirely from the same class of men. Those who were recruited directly into the Civil Service in India would in general estimation be considered as in a higher grade, and would as a matter of fact be so, than those who enter in the lowest grade of the Provincial Civil Service.

19065. But would they, either in general estimation or as a matter of fact, really be of the same status if the separate examination in India were of a similar standard and stiffness to the open examination in England?—The stiffer the examination and the more who succeeded in getting in through the separate examination, the more it would tend to diminish the position of the Provincial Civil Service; and it would also necessarily deprive the Provincial Civil Service of a certain number of the higher posts in the Indian Civil Service which would otherwise be filled by members of the Provincial Civil Service.

19066. But there is this distinction of status already, is there not, as between the Indian Civil and the Provincial Civil Service?—Yes; that is undoubtedly so.

19067. And this would remain whether a separate examination were established or no?—I am bound to say that I have not worked out the matter as regards separate examination, and I do not quite know the principles which would be adopted in giving effect to it. But the distinction between those who pass at present through the Indian Civil Service by open competition and the Provincial Civil Service is that the former go to England and undergo some training there, and they pass a very stiff examination in competition with Englishmen, and they are naturally looked upon as higher than members of the Provincial Civil Service who get in direct without any academic test beyond the fact of their having taken a degree. I am speaking of Bengal. The training out in this country is practically the same for all, unless you send those who are to be selected by a separate examination afterwards to England to undergo their probation. If you are going to send them to England, then it would still greater intensify the superiority of those recruited in that manner over the Provincial Civil Service.

19068. The point I want to elicit from you is that a distinction exists to-day as between the Indian Civil Service and the Provincial Civil Service?—It does, taking each service as a whole.

19069. I do not quite see why this distinction should be intensified by an arrangement by which Indians entered the Indian Civil Service through the medium of a separate examination?—It is introducing a third mode of recruitment. The second, the proposed, mode of recruitment by separate examination in India would probably lead to their being considered inferior to the Indian Civil Service to those who went to England and passed there into the Indian Civil Service. But I am bound to say that I have not thought out this question of separate examination, because I rested my objection to it on the fundamental principle upon which I objected to simultaneous examination. I did not see how it was very easy to get at the posts that you would open to this separate examination without, at least, taking a certain number away from the Provincial Civil Service, and, at any rate, without diminishing the prospects of more of such appointments becoming open to the Provincial Civil Service, which would increase the status of that service very greatly. I should be in favour of enhancing the status of the Provincial Civil Service as much as possible.

19070. In your desire to enhance the status of the Provincial Civil Service would you suggest the extension of the listed posts?—So far as on a review of the situation it was found possible to do so; but I am not prepared myself to say that it is possible in Bengal. We have already got more Indians in Bengal than in any other province—a great many more. But I think that on a full review of the case it might be found possible to open a greater number of appointments to them—I do not say of a different class—but a greater number of appointments to the Provincial Civil Service; and that would undoubtedly tend to enhance the status of that service.

19071. And you would prefer to give any increase of Indians in the service which might be decided upon in this way?—In the interests of the working of the subordinate administration I think it would be an advantage. It would give these officers a greater incentive to work all through their service, and also would improve the class of men who would enter that service.

19072. You also say that the posts held by Europeans in Bengal have been reduced to a minimum?—I think I said "about a minimum."

19073. And you go on to say that any further recruitment beyond would have to take the form of providing training posts for those who are to occupy the higher posts?—What I mean there is that at present the recruitment beyond that required for filling the higher posts is based on the principle of only recruiting sufficient men to undergo the necessary training. With reference to what I stated about the posts being reduced in Bengal to "about a minimum," I should explain that of late years, since the partition of Bengal, I have had no experience of the conditions of Eastern Bengal, and I am not sure how far we could increase the numbers there, in Bengal as now constituted, without reviewing in detail the number of posts required to maintain the British character of the administration in these territories, which have been separated from Bengal for some time.

19074. We have had evidence before us to show that the existing cadre is insufficient to deal with the volume of work which falls to the Indian Civil Service?—I should say so, undoubtedly.

19075. Would this position of affairs offer an opportunity for increasing the Indian element in Bengal without reducing the European element?—It would, I should say, probably lead to at least two more district chargeships becoming available both in the Executive and in the Judicial branch, that is to say, by splitting up two large districts; but in other respects I do not know that it would lead to an increase in the higher appointments, because you must maintain only one man in charge of each district. You cannot have two men on an equal status in the same district performing administrative duties.

19076. Do you mean that you must maintain one European?—Not necessarily one European but one district charge; and therefore that limits the number. It is one of the difficulties that you cannot, by increasing the cadre, relieve district officers very substantially of their existing work. It can be done only by giving them better subordinates.

19077. I think you have five additional District Magistrates now in Bengal, have you not?—I cannot say.

19078. Do they not relieve the other officers of a considerable amount of work?—To a certain extent; but I do not think the system is a very good one, from what I have seen of it.

19079. In reply to question (20), you speak about the subjects of examination. Would you recommend the inclusion of such subjects as Indian History and Indian Law?—I do not think that the open competition should in any way be specially directed towards qualifying men for service in India. I should prefer that it should be a test of a general liberal education, as laid down by Lord Macaulay's Committee.

19080. Therefore your answer to my question would be in the negative?—I should not be in favour of it. I should prefer not to include them. I would leave them till afterwards.

19081. You are rather opposed, are you not, to the principle of a time-scale?—Only if salaries are increased as I propose. If they are not increased, I should certainly be in favour of a time-scale, but not throughout the whole service. I would confine it to the main classes, substituting it for the gradation within the several classes of appointments; and certainly if there is no increase in salary, I should apply it to the lower grades, to Assistant Magistrates and Joint Magistrates, until they get a district charge, until they average the period of service when they may expect a district charge.

19082. And what salary would such a charge carry?—The lowest salary of a district charge in Bengal is Rs. 1,500 a month. I am not quite sure at what period of service men at present get district charges. I should think they begin to act continuously after about ten years' service. To get them substantively, it would probably be twelve or thirteen years; but I have not worked that out. I have not looked into that.

19083. Your suggestions with regard to pay are contained in your answer to question (92)?—Yes.

19084. Have you thought out at all what the cost of your proposals would be?—No, I have not. I do not suppose it would be very great.

19085. I take it that in addition to these improvements in salary you propose the cessation of the 4 per cent. contribution?—I should put that in the forefront. I should stop that in any case, whether there is increase or not in salary.

19086. Do you then regard the improvement of pension as of greater importance to the Civil Service than any improvement in salary?—Not in that respect. It is the extraordinary inequality, which almost amounts to an injustice, of the pension as based upon this 4 per cent. contribution. I have mentioned that in one of my answers.

19087. You mean injustice to those who render long service?—The longer and better service a man renders to the State, which may be taken as measured by his salary at the end of his service, the less he gets from the State as a pension.

19088. It is a question money. Supposing it came to a choice between improvement of pension and improvement of salary, and you could not have both, which do you say would be the best for the service?—Considering that the pension is not earned until one has done twenty-five years' service, I should prefer an improvement in salaries.

19089. We have been told by some witnesses that it is the young officer whose salary should first be improved and that that would conduce to the popularity of the service. Do you agree with that?—Most certainly; I have mentioned that; only I have put the improvement of the pay of the lowest grade of Collectors above the other. I should be inclined, perhaps, to improve the pay of the lower grades first, considering the late age at which men now enter the service. I would put that first everywhere, and then the pay of the lowest grade of Collectors in Bengal. The latter applies only to Bengal; at least it does not apply to all the provinces, because in some provinces they begin at Rs. 1,800 month, which is what I recommend. That increase, I think, is more in the interests of the country as a whole, to enable the district officer to begin at once to maintain the position which he should hold as the head of a district.

19090. We are told that the young officer finds it most difficult to make both ends meet on account of his low salary?—I think that is so. The salary of Rs. 400 is very low. The Educational officer begins at Rs. 500 and rises to Rs. 600 within a year; whereas an Assistant Magistrate does not get to Rs. 500 until after about eighteen months. The older the age at which they come out, the more they feel this. But I would not raise the age so high as might encourage them to come out married, because they would feel the burden later on in their service.

19091. Speaking generally, you would agree that, if the young officer's pay were raised, this would conduce to the popularity of the service?—It would, and I think it is necessary if men of the same stamp as previously are to be attracted to the service.

19092. You set store upon getting officers out here early.—I should prefer an officer to come out earlier than at present.

19093. You would bring him out at 24 at latest?—That would be the very latest. I should prefer to see him come out earlier if it could be done—if he could obtain some training at a residential University earlier.

19094. What do you think would be the best age for young officers to start work in India?—I think 22 or 23 would be the best age for him to start in India.

19095. You think they would assimilate their work better at that age than at 25?—I think so; but that is apart from the question of his European training.

19096. So that if proper provision could be made for their training prior to that date, that would be the age at which you would like to see them come out?—Yes, I think so.

19097. (*Lord Ronaldshay.*) Looking at the situation in India to-day from a broad point of view, do you think it is desirable that Indians should be given additional facilities for getting into the higher branches of the service?—No doubt there is some political advantage to be gained by admitting them in greater numbers to the higher branches; but there are also grave disadvantages attaching to it, in connection with the point I raised in answer to question (7).

19098. I know; but I want to find out what your opinion is. After balancing the advantages and the disadvantages, what is your opinion? Do you think, after you have considered the argument on both sides from all points of view, that the time has come when Indians should be given greater facilities than they now possess for getting into the higher branches?—I do not know that it would mean giving them greater facilities. I think that they will get in in greater numbers than hitherto even under the existing arrangements.

19099. Therefore, holding that view, you would think it is unnecessary to provide them with greater facilities?—I should prefer them to get in under the existing system of competition in England; and I think the results of the examination last year tend to show that, because eight Indians got in out of 40 appointments.

19100. Out of a total number of 40 vacancies?—I think so.

19101. I understand it was seven that got in?—It may be so: I was under the impression that it was eight.

19102. And I think there were 70 vacancies, were there not, and not 40?—I think I read somewhere that it was 40 vacancies in the Indian Civil Service. Anyway, a great many more men got in last year than got in in any other single year. And I could give reasons for thinking that more will get in in the future.

19103. I should like to have your reasons?—One reason is that a diminution in the attractiveness of the Civil Service to Europeans will certainly lower the standard attained by candidates who go up, and that of itself will enable more Indians to get in with their existing facilities. Education moreover will advance in this country. That is another reason. And the two things will react upon one another. The more Indians who get in the more will the service lose its attractions for Europeans on various grounds.

19104. Would you mind telling us exactly what you are thinking of when you say that the more Indians who get into the service, the less popular will the service become with Europeans?—One reason will be the uncertainty. There are many competing careers in England compared with the Indian Civil Service, and men who go up at the same time for it and for the Home Civil Service will choose the latter; and they will not hold on for so long a time if they know that a very large proportion of the appointments will go to Indians. They will seek other pursuits at an earlier age. In addition, one cannot ignore the fact that it will, to a certain extent, tend to diminish the attractiveness of the service if men think that they will have to serve for a great portion of their service under Indians. One cannot ignore that feeling, which, whether it would be justified or not, will react upon recruitment.

19105. Supposing we came to the conclusion that it was desirable that Indians should be given rather greater facilities than they at present possess for getting into the higher branches of the service, you think that the best method of doing that would be to make some increase in the listed posts, do you not?—I would increase the number of posts. In one part of my written answers I refer to the proportion of posts. I would rather say the number of posts, which I would increase as far as could be done, with due regard to preserving what I may call the irreducible minimum of Europeans necessary to maintain the British standard of administration. I think the whole situation should be reviewed from a practical point of view by each Government to determine what the number of posts should be.

19106. How would you be disposed to regard a scheme for carrying the present listed post system a step further, and picking your most promising recruits in the Provincial Civil Service at a fairly early age with a view to promoting them, not to specific listed posts, but to the ranks of the Indian Civil Service itself?—Certainly I think that those who are promoted to the listed posts should get them at an earlier age than at present. The system has only been in force for a very few years, and it has not yet had its full effect. The proposal you put before me seems, on the whole, one of some attractiveness, but I have not considered how it would work. I am afraid it would produce discontent, as to the manner in which the selection is made, amongst the other men in the Provincial Service.

19107. But, at the present time, are not the listed posts filled by selection?—Yes; but not at an early age.

19108. But it seems to be generally agreed even among the members of the Provincial Civil Service itself, that it is a great disadvantage that these men who fill listed posts should be picked at so late an age?—I agree in that.

19109. And I presume the members of the Provincial Civil Service themselves would see no objection to a scheme for selecting these men earlier, would they?—Of course the better men would never see any objection to it; but there is the rank and file to be considered. The better men, those who would have an opportunity of mentioning their views before the Commission, would certainly not see the disadvantage of that system; but there are many men who are excellent subordinates, who would hardly do for the higher posts, and who might slacken off and get stale in their work when passed over for selection. At first sight there is a good deal to be said for the suggestion that has been made.

19110. In connection with that suggestion, could you tell me whether the Natives of India who at present get into the Indian Civil Service through the examination in England are drawn largely from the same class of men as the men who get into the Provincial Civil Service?—Yes, I think they are practically the same class.

19111. There is really no difference?—If anything, they may not be of so good a class, perhaps. The disadvantage, perhaps, is on the side of the men who go to England.

19112. As regards their social status, and so on?—Yes, as regards their social standing; because that is one of the elements we have had to take into account, at least which the local Government have asked us hitherto to take into account, in making nominations for the Provincial Civil Service. But I do not know that too much prominence has not been given to that.

19113. From that point of view, a man promoted to the Indian Civil Service from the Provincial Civil Service would be in just as good, or, rather a better, position than the man who now gets into the Indian Civil Service through the English examination—from the point of view of social standing, and so on?—I think if he was absorbed directly into the Indian Civil Service, he would be considered to be of a higher status than if promoted as at present. Of course, I presume the differential pay of two-thirds would still obtain.

19114. In the suggestion I made I intended that these men who were promoted to the rank of the Indian Civil Service should thenceforward be regarded in other respects as members of the Indian Civil Service?—I am afraid I should have to dissent from that on general grounds. These men have not had to go to England; they have no English connection; they have a much lower standard of living. No promotion of them to the Indian Civil Service would obliterate that amount of differentiation. They would not send their children to England to be educated, and they would not spend their leave in England; they might or they might not, but would feel under no obligation to do so. They would not retire to England to settle down; and the bulk of their expenditure would be on articles produced in this country: and, even although the price of these has risen, it is not due to the difference in exchange. The two-thirds exactly represents the difference of the depreciation of the rupee.

19115. I understand on ground of economy you would be opposed to these men being paid on the same scale?—I do not put it on the ground of economy so much as on what is required in order to get the men.

19116. That comes to the same thing in the long run?—To pay these men, recruited as you are suggesting, the same pay as men recruited in England, is, really, giving them higher pay than the Englishman gets.

19117. With regard to your answer to question (24) of the Provincial Civil Service series, you say, "Personal Assistants to Commissioners should, in any case, receive an increase in pay in the shape of a local allowance, and Sadar Subdivisional Officers should receive house allowance." On what grounds do you suggest that Personal Assistants of Commissioners should receive additional pay?—They have to live at the head-quarters of a division for one thing, which is generally more expensive than other parts; and they are considered as occupying a higher position than their contemporaries in the service. Having to deal with a whole division, they are looked up to, and are expected to spend more; they have higher expenses.

19118. From what grade is a Personal Assistant generally drawn?—I should say from about the grade of Rs. 400 or Rs. 500. They are men selected by the Commissioners themselves from those men whom they happen to know to be good.

19119. You would advocate additional allowance for the Sadar Subdivisional Officer on the same ground that the cost is greater?—Yes. On the ground that the Subdivisional Officer in the interior of a district gets his house rent-free; and the Sadar Subdivisional Officer also holds a much higher position than the ordinary Deputy Magistrate at head-quarters.

19120. Do you say that the ordinary Subdivisional Officer in the mufassal gets his house rent-free?—Yes. He is provided with free quarters.

19121. But not in the head-quarters subdivision?—No, not in the head-quarters subdivision; although the expenses are much greater, and house-rent is higher.

19122. (*Sir Theodore Morison.*) I understand you think that the only door for admission of Indians in the Indian Civil Service should be the competitive examination in England?—And the Provincial Civil Service.

19123 In reply to Lord Ronaldshay, you said you would not put it on the same footing; and you think also that the examination should be representative of a general liberal education?—Yes.

19124 I have a difficulty here which I should like you to help me with. A general liberal education in England and in India is not the same: the subjects are different. You can arrive at a liberal education in England in a different manner from that in which you can arrive at a liberal education in India?—Yes.

19125. I understand you to say that you would not have any change in the syllabus, except such differentiation as results from including Sanskrit and Arabic; but if that is to be the only door, how are you going to be fair between these two classes of candidates?—I have postulated, I think, that Indians who go up should be expected to have had a portion of their education in England before they go up, and the difference against Indians in this matter is made up in other ways.

19126. In what other ways?—For instance, Indians, I think, very largely replace Latin and Greek by Philosophy. There is a great number of men who take up Philosophy in this country (and the ordinary English candidate does not), and they are very good at it. The Indian gives a considerable amount of his time to it, and that is really part of his liberal education

19127. I quite agree that that is part of his liberal education, because Philosophy represents part of his liberal education in the same way as Latin and Greek does in England. Would you mark them the same?—No. I think Latin and Greek require much more prolonged study. They form part of the ordinary studies of a liberal education in England. I do not say that they should continue to take up so much time; but they do so up to now.

19128. You have given an illustration of the difficulty which I have in my mind. Philosophy and Indian History represent, no doubt, part of the liberal education of Indians?—The candidates from India take up, I think, English Literature very largely.

19129. All these things are marked much less than Latin and Greek?—I am not familiar with the modern syllabus, or what candidates who pass from India do take up. I am only judging by what I have seen of Indian graduates in this country, and the subjects they take up.

19130. For Latin a man can get 1,100 marks?—That includes Roman Literature; 800 marks each are given for Latin and Greek language. I should strike out the 200 marks for verse, because a great many people are never taught Latin or Greek verse. That would reduce it to 600 marks.

19131. Then you do not make it so representative of a liberal education in England. There are certain classes and institutions in England, public schools for instance, which have based a good deal of their educational system upon the writing of verse and prose. You do not want to knock that class of people out?—I should not want to knock prose out; but I think it would be a very good thing to knock verse out.

19132. We must not enter upon this thorny problem. It seems to me that the general trend of your argument would be, either that you must lower the marks assigned to English subjects or raise the marks of those subjects which constitute a liberal education of an Indian, if you are going to make it the only door, and you want to have the things on equal terms?—With reference to the subjects which tell in favour of Indians, Sanskrit and Arabic have been added. I should like to point out, with regard to Sanskrit, that the vocabulary of Bengali is taken bodily from the Sanskrit. I myself studied Sanskrit and Bengali for two years at home; and I studied Persian and Hindustani as well. The Bengali who takes up Sanskrit has a tremendous pull: he has practically only to learn the grammar. He has a far greater pull than an Englishman would have in his own subjects.

19133. But then it is not marked so high, is it?—I think Arabic and Sanskrit each gets 800 marks, with the history of their literature.

19134. That comes to 300 marks less?—I do not know how they differentiate the marking for grammar and for literature in the case of Arabic and Sanskrit. I think they are marked in the table jointly—put together.

19135. You said just now, I think, that the age at which you would like the Civil Servant to come out was 22 or 23, if that were possible?—Yes.

19136. Do I understand that, if a young civilian came out at 22 or 23 with a good knowledge of law, that would be the kind of man you want for administrative purposes? Have we got to work towards that if it could be managed; I do not know whether it can?—I do not say that he should have a good knowledge of law in all its branches, but he should have that knowledge of law to which I refer in one of my written answers, and which he could obtain during his first year of probation in England.

19137. I am trying to think what you as an administrative officer would like. What is the kind of ideal young man that we ought to get on his landing here? There are an enormous number of things, but would you put in the forefront, amongst the most important, that he should arrive out here at the age of 22 or 23 with a good grounding of law?—Yes, with a good grounding in the principles of law and jurisprudence.

19138. And a good many other things, if we could manage them?—Yes. I think law should be got by attendance at the courts, and so on. I think it is essential; I would not bring him out without that knowledge.

19139. That is what you mean to say is the essential type we have to work for?—Yes. In other words, law is superadded to his general education at that age.

19140. He must be of that age, and he must have law?—It is very desirable that he should have law. He would have to get it during his probationary period in any case; and I think it is very important that he should have a year in England to study law before he comes out.

19141. (*Mr. Abdur Rahim.*) Have you studied Arabic?—Only very slightly—just enough to understand the formation of words and phrases for Hindustani and Persian.

19142. I suppose you know that Arabic is a very difficult language to master?—Yes, it is difficult to master.

19143. It is not the fact that those who know Latin and Greek and also Arabic, consider Arabic more difficult to master than either Greek or Latin?—I do not know about that. I do not suppose any such man has begun Arabic at the early age he would begin Latin and Greek. He spends years on Latin or Greek. I do not know whether he would have to spend years on Arabic.

19144-7. Even if Arabic is a very difficult language to learn, at least quite as difficult as Greek and Latin?—It would not be very difficult for an up-country Muhammadan. I do not think so. He knows a great many of the phrases already. I am giving you my impression.

19148. Supposing it is equally difficult to learn, do you not think it ought to be placed on a par with Greek and Latin, so far as marks are concerned?—The only thing that differentiates the marking for Arabic from that for Latin and Greek is as regards Arabic Literature. They each get 800 marks; and Roman and Greek Literature and History get 800. I think that for those who are usually examined in Roman and Greek Literature a much greater amount of study is involved than for those who are examined in the history of Arabic Literature or the history of Sanskrit Literature.

19149. You know there is a good deal of historical literature in Arabic?—Arabic History is not prescribed.

19150. No. It is not. But I mean to say that it does contain a very rich literature in History?—The history of literature is all I understand to be prescribed for the examination.

19151. What is the chief reason for suggesting that Arabic should remain, as it is, on an inferior footing?—I am not disposed to contend that it is on an inferior footing.

19152. So far as marks are concerned?—It is not on a very substantially inferior footing, because the only differentiation is in the matter of the history of literature; and this does not mean that a man has to have a knowledge of all the books; it is only that he has to know what the general course of the development of the literature of Arabia has been. That is one point. Another thing, as I say, is that there has been a good deal of facility, I should have thought, acquired by Muhammadans of Upper India, or any man in Upper India who talks Hindustani and reads the masterpieces of Hindustani literature.

19153. I suppose you know that most Muhammadans are quite unfamiliar with Arabic, even many of those who are good Hindustani and Persian scholars?—I cannot say anything about that.

19154. As regards Persian, that has a very valuable literature, has it not?—Yes; but the grammar is the easiest grammar I have ever looked at. I think I got it up in three hours.

19155. It must, then, be very easy indeed!—Except the Arabic portion of the language it is a very easy grammar.

19156. However that may be, it has a very large and a very valuable literature?—Yes.

19157. You may put it on the same footing as, say, French and German, by stiffening the examination, if you like?—I have not studied the history of Persian Literature as a whole. I am only familiar with certain works.

19158. But so far as the literature is concerned, prose and poetry?—There is a very considerable body of Persian Literature.

19159. Ought it not to be included in the syllabus?—No. I do not think so; because it is such an easy language. For a man who knows Arabic, Persian is nothing.

19160. But you know that a good many Muhammadan boys are plucked in Persian?—I do not know. I have known of men I have looked upon as rather inferior who have taken Honours degrees in Persian.

19161. Do you not know that the standard in M.A. or Honours in B.A. is very high and very difficult in Persian?—I refer to M.A., that is, with Honours in Persian. As I say, I have seen inferior men who have attained that.

19162. You do not think that Persian literature is of such educational value that it ought to be included in the syllabus: is that what you say?—I do not; except as regards the utility: it would be useful, for instance, in the administration of Upper India.

19163. As regards Indian History, do you not think it would be a great advantage, and of great educational value, to a civilian to study Indian History for the open competition?—I think he could devote his time with more advantage to other matters. The study of it might be encouraged after he had got through.

19164. Why should it be excluded from the open competition?—It is not of the same educative value as the history of other countries, because we do not possess sufficient materials to trace the development of institutions, and the social and economic history of the various periods. It is largely a political history of wars and dynasties, with a lot of dry bones in it. It is useful, no doubt, after a man gets to India.

19165. There are a number of Indian historical works in English?—Yes.

19166. And in Persian and Hindustani, if a man studies Indian History properly, do not you think he would be able to understand the present administration better?—I should prefer that he should postpone it until after he has definitely committed himself to an Indian career.

19167. Are you in your mind thinking that it will give Indians an advantage over English students if Indian History were added to the subjects?—I do not think that it would give them much advantage.

19168. You would not exclude Indian History or Persian on that ground?—Persian would give an Indian a very great advantage if he took up Arabic also. Persian is practically a subsidiary language to Arabic.

19169. You could limit to either Arabic or Persian?—If you are going to allow Persian, I think that would be illogical; but as regards Indian History (I think that is what you asked about), I do not think that it would give a great pull to Indian candidates over English candidates if that were part of the syllabus.

19170. You have had a long experience of Provincial Civil Service men in Bengal, have you not?—Yes, except that during, perhaps, an important period of my service I was Collector of Customs in Calcutta, when I had nothing to do with them.

19171. But excluding that period, you have had a large experience?—Yes.

19172. Can you tell me what your experience is of Muhammadan officers of the Provincial Civil Service in Bengal? Are they, in your opinion, as efficient as other members of that service?—Those of them who are of fair physique have more energy than the others; but I do not think that they are quite so alert intellectually.

19173. There have been many Muhammadan members of the Provincial Civil Service who have done very good work?—Yes.

19174. Which has been recognized by the Government?—Yes. They have been very useful also, politically.

19175. In your answer to question (88) you say, "the two branches (Judicial and Executive) are kept quite distinct in Bengal once officers have entered continuously into them." I suppose by the Judicial branch you mean the Civil Judicial branch?—Yes.

19176. Do you not consider that Magistrates are Judicial officers?—True; but I thought the word "branches" was used significantly in the question here, and meant that after officers had definitely entered the Judicial branch they were excluded from executive work. I interpreted it in that sense; and that explains my answer. Perhaps I misunderstood the scope of the question.

19177. I thought you understood it like that; but, so far as Magistrates are concerned, the two functions, executive and judicial, are combined, are they not?—The same officer exercises both functions indiscriminately, although there is a tendency to concentrate revenue work on certain officers so as not to interfere with the trial of cases.

19178. Then there is no separation of the two functions in Bengal?—Not as regards the magisterial functions.

19179. Would you have any strong objection to the separation of the two functions?—In connection with this matter I cannot say that I have considered the question sufficiently to be prepared to undergo a detailed examination just now upon that point. I should certainly not object to District Officers being relieved of all appellate work in criminal matters. For one thing, the District Officer must retain the powers conferred by the preventive sections for the preservation of law and order in his district, and the difficulty is that he would require to have men under him who would also exercise those powers.

19180. You mean section 107?—Yes, and the whole chapter dealing with the preservation of the peace and the control of professional crime.

19181. Barring that, you would have no objection?—I would have no objection to his being relieved of other portions of his work on certain conditions. There are certain qualifications which I should like to add.

19182. What are those?—That some agency is provided for the very careful supervision and control of the subordinate courts. That is one, undoubtedly. And I would object if there is to be direct recruitment from the legal profession to the Judicial branch of the service. I do not think that they would exercise sufficient control over the subordinate courts. I think lawyers would pay far too great attention to the mere turning out of good decisions, and would neglect the administrative portion of their duties.

19183. But supposing it was contemplated to have Judicial officers doing purely judicial work and nothing else, in that case the supervision of such subordinate officers should be vested in Judicial officers alone?—You would have to have the proper stamp of officer. It would be extremely difficult to separate the two, and extremely expensive. I once did work out the expense for a typical district.

19184. Can that be obtained from the Bengal Secretariat?—I think all the papers connected with the separation of Judicial and Executive functions are treated as "Confidential." It is impossible, however, for me to say, as I have not been in the department.

19185. The expense has been worked out?—When I was a Divisional Commissioner I worked it out.

19186. The matter was worked out for some districts as to what expense would be involved?—Yes, as regards a typical district I did it myself, and the expense was very great, both initial and, especially, recurring.

19187. As regards separate recruitment, I see you are opposed to it: you would not have separate recruitment for the Judicial Service. Are you opposed altogether to recruitment from the Bar?—The Subordinate Judicial Service is practically recruited from the Bar; but I presume what you refer to is direct recruitment by which a man would enter straight off into the higher posts.

19188. Yes, that is what I mean?—A certain proportion of posts might be given in that way; but I think the better way would be to promote the man who has been a Subordinate Judge, who has had practical experience in the trial and decision of cases.

19189. Is the difficulty you have experienced with regard to promoting Subordinate Judges that they are promoted when they are too old, and that they have had no experience of criminal work?—Yes, I should like to see some means of remedying that. The same question arises in connection with promotion from the Executive branch of the Provincial Service; the appointment made is at too late an age.

19190. On the judicial side a further question arises with reference to the criminal work which the Sessions Judge has to do?—Yes.

19191. If you got proper members of the Bar, who had experience both of civil and criminal work, would there be any serious objection to their appointment?—The training of the legal practitioner in this country, who would be put straight into a high judicial appointment, I do not regard as a very good one for it. He would look at things from the point of view he has been accustomed to look at them, namely, from the point of view of a snatch advantage for his client; and he indulges, in consequence, in a great many technicalities: and these things repeat themselves on the Bench, as one can see by reading the decisions of Munsifs and Subordinate Judges, especially Munsifs.

19192. Have you had much to do with their decisions?—They constantly come before one in one's executive administration: for instance, in the administration of ward's estates, or cases in which Government is interested, one has constantly to get copies of their decisions and study them.

19193. But you are not prepared to say, from what you have seen of these decisions, whether those decisions are sound or not, and have stood the test of appeal?—I am not prepared to generalize. I refer more to the mode in which a case is approached, and the views which result in the determination of it.

19194. You have never been a Judicial officer yourself?—For four years I exercised the powers of the High Court for the district of the Sonthal Parganas, which has a population of about two millions.

19195. It is a very backward district, is it not?—One has perhaps more difficulty in the administration of law there than in any other place, because you have to adapt general legal principles and you are the sole judge of what those legal principles shall be, to the conditions of a primitive people. With reference to the appointment of lawyers, I do not think, from what I have seen on the Bench, that the pure lawyer is suitable for the administration of justice to the aborigines.

19196. (*Mr. Sly.*) You have been asked a good many questions with regard to the syllabus for the open competition. These questions have been based, more or less, on the assumption that it is desirable to provide equal opportunities for youths with a liberal education in England and youths with a liberal education in India. Does that principle commend itself to you? Is it the case that for the Government service we desire to get youths with a liberal education on Eastern lines in India; or, is it not the case that we wish to get youths with a liberal education on Western lines?—I say distinctly, as I have said in my written answer to question (7), that what we require are those who have been brought up to the British standard of liberal education, that is to say, a liberal education on British lines. I think I drew attention to that. I stated that the assumption was as regards those Indians who pass the examination in England that they had some period of education on those lines.

19197. If the proposals which have been made for raising the marks in Sanskrit and Arabic, for adding Persian and Indian History and other subjects, are adopted, do you think that it will really conduce to the recruitment of the class that is desired—trained in Western ideas and knowledge?—No; I think that it would exclude the studies that are necessary in the recruitment of Indians to the Civil Service.

19198. You have expressed the opinion that you desire the Indian civilian recruit to come out here at about 22 or 23 with a knowledge of law: that is your ideal?—He should have a knowledge of the general principles of law, and the working of the English law courts.

19199. If it is found that to secure this object it would be necessary to sacrifice a University training, would you still adhere to that ideal?—It is very difficult for me to speak about these matters. I have had no experience of the English Universities. I am a graduate of Edinburgh University, where I took my degree before I was twenty. I think it would be advantageous that a man should go through a residential University course; but perhaps more for general environment than for the actual advance in education that it would give.

19200. If it was found necessary to sacrifice the University course, in order to bring out those students at the age of twenty-three, with a knowledge of law, would you be prepared to recommend that?—Not quite; because it is only one year I recommend for the study of law. I think the University training would be more valuable than having that one year in England (if it comes to a question between the two) provided it is supplemented by a legal training in India. What I said in my answer to question (15) is somewhat different from that. My view, theoretically, is that I thought it was the most suitable age for a man to come out here; but having regard to the advantages to be derived from, going through a course at a residential University, like Oxford or Cambridge, I have said that I would raise the age, and make it about 23 or 24 when he comes out.

19201. Assuming that position, would you be prepared to sacrifice, say, one year's probation in England, and to bring the student out immediately after having passed his open competitive examination and train him in one of these Indian colleges which you recommend?—Well, no. Taking the position as a whole, I think one year's probation in England is essential.

19202. Do you not think that if you establish these Indian colleges you could teach him all the subjects that you wish him to be taught in a year's probation in England?—Yes, the subjects I have mentioned could be taught, if you could establish colleges of the nature I refer to; but you would have to sacrifice the practice at the law courts. I should not recommend the attendance at law courts in India as a substitute for attendance at the law courts in England.

19203. Can you tell us why you recommend the establishment of these Indian colleges; is it that you are dissatisfied in any degree with the training which the Indian civilian at present receives after he comes to this country?—I am inclined to think that he would not otherwise settle down with sufficient assiduity to the study of the things which are necessary for that second year of probation, the codes, for instance, and vernacular languages.

19204. At present the second year is spent under the training of a selected Collector?—Yes.

19205. You wish to substitute for that training in the college. Can you tell us why you wish that?—One reason is that the selected Collector is generally the one who has the least time to look after the training of these men. He is generally a man who has heavy duties to perform, and has the least time to look after the training of these young men. I think they ought to have their studies concentrated or focussed; and it would be a good thing if they associated together instead of being isolated in different districts, and left, largely, to pick up what knowledge they can from anyone who happens to be available in the district. But I think I have stated that this institution would be very expensive. You would have to have several institutions in India. You would have to combine it with the training of Police officers and Educational officers, and that would tend to reduce the expense. I think the Police training colleges have been very successful, from what I have seen of them.

19206. I understand that you have modified, to some extent, your written opinion that the European element in the service has now about reached the minimum?—I beg your pardon: I have not stated that in the *service* it has reached about the minimum: I have stated that in *Bengal* I thought it had reached about the minimum.

19207. But I understand you are prepared to modify that to a certain extent in regard to the districts with which you are not properly acquainted; and that if Government find they can employ a larger percentage of Indians, particularly with regard to the necessity for increase in the number in some districts, you would be prepared to recommend recruitment from the Provincial Civil Service for some of those posts?—I have said so to-day.

19208. If recruitment is to be made from the Provincial Civil Service, at what stage of the

Provincial Civil Service do you consider that such recruitment can best be made? Is it from the senior Provincial Civil Service officer, or is it from the very junior Provincial Service Officer who has had a short probation in that service, or is it from the man of about 10 or 12 years' service that you think the best selection could be made?—Medium. I should say a man who has done about 15 years' service.

19209. You do not think that prior to 15 years' service a suitable selection could be made?—It could be. But one has to consider the effect upon men who have had more that 15 years' service, and who may be good men but for whom there were no vacancies at that stage. I would put it as late as one could, so long as you can get the men to act in charge of districts, and with a chance of rising, for a reasonable period. They only get in at present for, I think, two or three years.

19210. You express the opinion that the Provincial Civil Service attracts, not only as good a class, in fact, if not a better class of Indian, than comes through the London competition. What do you mean by "class;" merely social position?—As regards "class" of men, I refer to the fact that they are practically the same class of man in general respects. I added, almost parenthetically, "if not better." That referred only to the social point of view.

19211. I want to know what you mean by "class." Is it that the social position is as good?—No; in attainments.

19212. But, surely, in the matter of attainment the Indian who has been home and passed the open competitive examination, and has had about two years' training at an English University, is superior, in intellectual attainment, to the man who goes in to the Provincial Civil Service?—He is better at that stage; but he is recruited, originally, from the same class as the Provincial Civil Service is recruited from.

19213. You mean from the same class of University graduate?—I do.

19214. But may I point out that he has had a subsequent career that has surely made a difference in the class?—He has had that subsequent career in England undoubtedly, and that was postulated; I refer only to the class from which they originally came.

19215. Have not you also expressed an opinion that in the service the Indian members of the Indian Civil Service have been generally more successful than the Provincial Service men promoted to listed posts?—I think they have been, or at any rate they have shown better qualities.

19216. In dealing with this question of recruitment in India, you have referred, in your answer to question (7), to certain races of Indians who you describe as the less virile races, races having a capacity for passing the examination, but which are less energetic. I should like to know to what races you are referring?—There are certain qualities that distinguish the European from the Indian; qualities in which the European is superior, and qualities which are necessary for administration in upholding the British element. In those qualities the British are superior to the Indian. By the less virile races and classes I mean those who are most deficient in those qualities. I base it on ethnographical grounds.

19217. Will you explain what you mean by that?—I think that a great deal of the difference among the many races in India depends very largely on continual reinforcement by the infusion of fresh blood from Central Asia and other parts to the north-west of India; and the less virile are those who have not been so reinforced, or who have been for a long time free from these influences. Those are the races that are farther to the east and to the south of India. By the less virile I mean mostly the Bengalis and the Madrasis.

19218. With regard to the improvement of the service in Bengal, we have had a claim put forward that the Bengal civilians should be entitled to special allowances for service in Bengal, on the ground of the loss of the amenities of life in Bengal as at present constituted and the high cost of living. Have you any opinion you can give us on that?—That would depend very greatly on the difference between Bengal and other places, but there is no question whatever that as Bengal is now constituted there are very few amenities of life there. There are very few good districts. But how far you could compensate the matter by allowances, as a practical solution of the problem, it is rather difficult to say. You might in different provinces get various claims advanced for dealing differentially between different districts even, and it would be very difficult to draw the line. I should say, however, that Bengal as a whole has very serious disadvantages as it is now constituted.

19219. Turning to the Provincial Civil Service, in answer to question (24), your have expressed the opinion that the grading is suitable. We have had a good deal of evidence to the effect that the grading is very prejudicial to the interests of the service, owing to the fact that the number of posts in the higher grades are so small that the bulk of the officers can never hope to rise to them?—I ought to explain that I was not dealing with the numbers in each grade, but with the differences in the rate of pay for each grade, the difference of pay between one grade and another.

19220. Do you consider that the number of posts in each grade is suitable for the Provincial Civil Service at the present time?—No, apart from actuarial considerations, I think it would be advisable to increase the number in the higher grades. The stagnation, the fact that men are kept so long in going through the subordinate grades, and are practically getting past their work when they rise to the higher grades, is producing a great deal of discontent.

19221. Is it the case that in Bengal Subdivisional Officers in mufassal subdivisions are given free houses?—Yes.

19222. Does that apply to Subdivisional officers both of the Indian Civil Service and of the Provincial Civil Service?—Yes.

19223. They are given free houses and have to pay no rent?—Yes.

19224. (*Mr. Macdonald.*) I believe you said you anticipate that more Indians will pass into the Indian Civil Service through the English door than is the case at present?—Yes, I think so.

19225. If you will turn to your answer to question (24), and look at the last sentence, you will see you say there : "As a matter of principle the maximum proportion of 'Natives of India' should not be exceeded howevermuch the number who succeed in passing in through the open competition in England may vary." How would you guard yourself so as to carry out that matter of principle ?—I say that it is a matter of principle : I do not say it is a practical method. I ought to state what I have already said, that I would correct the word "proportion" and say "the number of posts that must be filled by Europeans should not be reduced," because there is constantly a creation of new posts that need not be reserved for Europeans. As the question mentions proportion, I used the word "proportion" in my answer, but I should really have used the word "number." Taking it as "number," if a greater number get through by open competition in India, then in the succeeding year the number of appointments from the Provincial Civil Service listed posts should be reduced *pro tanto*, so as not to trench upon that minimum.

19226. So that you would sacrifice the interests of the Provincial Civil Service as more Indians pass into the Indian Civil Service through the English door ?—I do not see that you can help it on the premises laid down, namely, a minimum number of European posts. It is more advantageous for men to get through the open competition than to be promoted from the Provincial Civil Service.

19227. I thought in your evidence just now you laid very great stress upon the desirability of keeping some prizes for the Provincial Civil Service ?—I did.

19228. From the point of view of the Service ?—I would do so as far as possible.

19229. If your two statements are right, first of all that more Indians are going to get in through the English door, and, secondly, that as these get in, you must reduce the number of listed posts, is not the outlook a very black one for the Provincial Civil Service ?—It depends on what you fix as the minimum number of posts for which Europeans are required. It would not be so black in other provinces perhaps as it might be in Bengal, where there are a good many Indians in higher charges at present. But I have not had recent experience of Eastern Bengal which has just come into the Presidency, and I do not know what margin is available.

19230. But I thought you said that seven places out of 40 were taken at the last examination ?—Apparently I was mistaken in the number : I thought it was 8 out of 40.

19231. Supposing that proportion continued, what would happen to the listed posts then? Supposing you had to fill in just one-fifth every year ?—I have departed rather from the question of proportion, and I should not like to speak of the number of posts without the whole matter being reviewed in detail by the administration. It is quite possible that there might be a greater number available ; in fact I think it is probable.

19232. Would it not be far better to arrive at some sort of proportion and carry it out with a tolerable degree of certainty for period after period, revising it as occasion arose from time to time ?—I must say it would be an advantage that the minimum proportion of Europeans should be definitely fixed for a long period of time, so as not to give rise to continual clamouring for the reduction of that number.

19233. You think that would be a better way, than to let things drift and drift as apparently they are drifting now ?—Politically it would.

19234. I mean from the administrative point of view also ?—I think so too.

19235. Both politically and administratively ?—Yes, both of them would derive advantage.

19236. A good deal of your opinions regarding the employment of Indians are based upon a sort of theoretical dictum that the British character of the administration must be maintained ; but do you regard the British character of the administration as something that is an end in itself, or do you simply mean by the British character a certain method of Government which produces certain good results ?—I regard it as a method of Government which is essential so long as British supremacy is to be maintained in this country.

19237. Would you say that every British officer who has ever been recruited into the service has maintained the British character ?—I should not be prepared to go so far as that : I cannot say.

19238. Would you say that a bad British officer is better than a good Indian officer from this particular point of view ?—I am discussing this point of view solely with reference to the question of the admission of Indians by an unrestricted examination. You get good and bad men under both the present methods of recruitment, but the bulk of the men who come in from the Indian Civil Service, the Europeans, are possessed of certain qualities which I consider essential for the maintenance of British supremacy.

19239. I am afraid I do not quite see the meaning of that, although it is a very nice phrase. You have a certain body of men coming into the service year after year who have been trained in Great Britain ; they are British in character, but there is a certain percentage of them who are not quite so good as the others. Is not that so ?—Only casually. Only sporadically. You cannot say there is a certain percentage. No doubt there is a big range, as men vary greatly in qualities.

19240. But you admit that men do vary in their characteristics ?—I do.

19241. And in their qualities as administrators ?—They do.

19242. What I want to know is whether, in your opinion, you would take a bad British officer rather than a good Indian officer from this particular point of view of the British characteristic ?—I do not think I have contemplated that hypothetical case ; it is a hypothetical case.

19243. What is the use of using an expression like "British characteristic" which varies so much in the British cadre itself that you are not quite sure whether in respect to the Indian officer he is not better from the British point of view than the British officer himself ?—Taking them as a whole, I think that the European is undoubtedly better in respect of those qualifications. A European officer may be deficient in one quality, but he probably has all the rest.

19244. From the point of view of administration you have to take your cadre in its qualifications, and on the one hand you have Indian officers and on the other hand British officers. Do not your best Indian officers in their work come up to a standard quite as high as the average of the British officers?—No, I do not think they do, and certainly not after a certain stage in their service.

19245. Do you mean to tell us that you do not think the best Indian officers are equal to the average British officers?—I do not think that the men I have had to deal with came up to the average British officer.

19246. I am only asking you from the point of view of the expression you used, "the British characteristic of the administration"?—I do not think the Indians I have had experience of have come up to the average European.

19247. With reference to your ideas regarding the Provincial Civil Service, you told us that the men of the Provincial Civil Service come from the same class as those who enter the Indian Civil Service, and I presume there you were speaking about Indians?—Yes, pure Indians.

19248. Do you find that the best men from that class go into the Indian Civil Service?—It is difficult for me to say that the very best men do, because I do not know who are the best men turned out by the Universities. In Bengal I think the University has the power of nominating two men for the Provincial Service every year, but whether they nominate their best men or not I do not know. I am bound to say that the Bar offers a great attraction to the best men.

19249. I am comparing the two services, not the Bar. Have you heard the complaint that the best men who would like to enter the Government service from the Universities cannot afford to go to England, and that they get appointments in the Provincial Civil Service occasionally, and that the man who goes to England is very often an inferior specimen compared with the man who stays at home?—I have not myself heard complaints to that effect. I have no doubt that, in the same way, many Europeans cannot afford to go up for the Civil Service examination at home, because they cannot continue their education long enough, and therefore they have to give it up.

19250. If that complaint was well-founded, and if good men had to be, as it were, side-tracked into the Provincial Civil Service, would you regard that as a reason for either simultaneous or separate examination?—I would not have simultaneous examination on any account. There was a suggestion made to-day as to some mode in which this might be met, but it has not been present to my mind before, and I cannot say how it would work. With reference to the expression you used, I cannot say that when men go into the Provincial Civil Service they are "side-tracked." They are doing the same work as civilians up to the stage in which a civilian gets charge of a district, either as an Executive or as a Judicial officer. These men, up to the number of appointments open to them, have the same appointments as the members of the Indian Civil Service. I am bound to say that if nothing is done to introduce another mode of recruitment, the number of men in the Provincial Civil Service getting the higher posts will go on increasing and it will attain a much higher status than it has at present. It is only within quite recent years, probably only six or seven years, that men from the Provincial Civil Service have obtained the charge of districts. When they begin to have regular charge of those districts it will at once enhance the status of the Provincial Civil Service in the estimation of the men who enter it and also in public estimation, and it will attract recruits.

19251. But you do not see any contradiction in the statement you now make with the statement you make at the end of question (24) to which I have drawn your attention, the question about the proportion, even as amended by you? It seems to me that at the beginning of the evidence you have given, you contemplated that the Provincial Civil Service must be kept subordinate to the Indian Civil Service so far as appointments are concerned, that if the Indians go into the Indian Civil Service through the front door, than the Provincial Civil Service backdoor must be closed or made narrower so as not to upset your number?—I do not think it will be narrower than at present, but it might prevent it expanding.

19252. Now, you say it is of the very greatest importance from the point of view of the Provincial Civil Service itself that these higher posts should be opened out so that the good men in the Provincial Civil Service might have a chance of serving their country in a wider and more important field?—I have said so.

19253. Do you not think there is a contradiction there?—One has to take the less of two evils. If you get your Indians up to the admissible maximum, it is preferable to get them through the door of open competition than through the door of the Provincial Civil Service; but I do not think the door of the Provincial Civil Service would ever get shut in that way. I think the Provincial Civil Service should in any circumstances have a chance of one or two district charges.

19254. If you are getting, as has been stated, a very superior man entering the Provincial Civil Service because he has no chance of getting into the Indian Civil Service, do not you think that means that some steps ought to be taken to enable this man, who cannot go to England, to enter the Indian Civil Service before passing the open competition at home?—I think I have suggested something in this direction which might be one of the advantages that would flow from nomination and selection, but I do not see any practical means. It would reduce the number of Indians who would be failures in England, as only a limited number would go; but I am inclined to favour the grant by Government of scholarships to selected men to go and prosecute their studies in England for the Indian Civil Service.

19255. At the beginning of your written answers you refer to the fact that in your opinion the service is not quite so attractive as it used to be. You have mentioned the question of pay, but we will leave that out of account, because we have dealt very fully with it. Will you tell us from your experience why the service is ceasing to be so attractive?—I have not only referred to pay but also to the inferior character of the districts in Bengal as now constituted.

19256. But that is only since the repartition?—It has been always the case, but not so intensified as it is now.

19257. That does not affect the general service in India?—A man cannot select his province entirely; and if he is going to run the risk of being posted to Bengal, it will reduce the attractiveness of the service. Then undoubtedly the increasing complexity of the conditions under which the officer in India, specially an executive officer, has to work must have a most serious effect on recruitment at home.

19258. Do you mean that the work is getting a bad reputation?—We are open to the most severe criticism; we are open to actions in the courts; we are open to injunctions from the courts to stop us in anything we are doing. In fact, we are open to very severe criticism, one-sided uninformed criticism, at the hands of the Indian press.

19259. Do you mean the Anglo-Indian?—Not entirely the Anglo-Indian, but also from certain sections of the English press. All that is certainly detracting from recruitment, and I am bound to say that when I have myself been asked by fathers of prospective candidates, I have to say that the Indian Civil Service is not as attractive as it was, and that there are other branches of Government service I should prefer.

19260. You are dissuading people?—I am not dissuading, but I am saying it is not as attractive as it was.

19261. The effect of that of course is to dissuade them from sending their sons out?—It may. I do not know of any specific instance.

19262. Let us take the grievance you have against the law courts. Would you suggest that you ought to be put into a position which would exempt you from having your actions reviewed?—I have not come prepared to discuss that question; I merely say what is the effect on the people at home.

19263. But supposing we are going to put into our report that we had it from you and others that this was a great grievance, it would be our duty to make some remedial suggestions: cannot you help us to a remedial suggestion?—I did not come prepared to discuss the question. I could go into it at considerable length, but I am not prepared to suggest any remedies here. I could mention a good many instances in which action has been taken that has prejudiced the attractiveness of the executive side of the service. If I were going into the service again, I should choose the Judicial branch.

19264. You would chose the judicial rather than the executive?—Yes.

19265. (*Mr. Fisher.*) I notice you attach great importance to a degree at a residential University: can you tell me what special advantages such a course possesses in your view?—I have had no experience of a residential University, but I think that the environment is a good thing for a man who is going out to India, the association of a number of other men of his own years in different pursuits, and altogether I think the life of a University is a good one. I have had, however, no experience of it, and I am only judging from what I have understood to be the case.

19266. Do you think it is as valuable for an Indian candidate as for an English candidate?—I should think it would be more valuable for him if he could profit by it.

19267. Do you think he is profiting by it?—I cannot say; I do not know what the conditions are.

19268. I notice that you give it as your impression that the men who came out at the early age of 17 to 19 were inferior in stamina to the men who come out now. Is there any truth in the statement that the University men who come out now are rather exhausted by their very serious intellectual labours?—I have not noticed that. I do not know that the intellectual strain is anything like so great as it was on the men who strove to pass the open competition at the age of 17 to 19. I was judging by the results that occurred in Bengal in the eighties after this system was introduced.

19269. Although the boy was perhaps overstrained at 19, he had his year's probation afterwards during which he worked at rather slacker tension?—I think he had two years' probation.

19270. And he worked at lesser tension, as his place was assured?—Yes.

19271. You do not think he had recovered from the strain at 19?—I thought that was the reason for it. The ranks got depleted very materially in the eighties in Bengal so far as my recollection goes.

19272. I notice that in answer to question (21) you propose a two years' probation, one year of which is to be passed in England and the other year in India. Do you think that it would be really advantageous to the legal studies of the young English civilian to have his course broken in that way?—I think it would be, because the law he would study after coming out here is better acquired when he has some acquaintance with Indian conditions, especially such matters as the rent law and the codes.

19273. Is it not the case that one of the main desiderata is that the young Indian civilian should have a thorough knowledge of the working of a good English court and of the way in which a first-rate English Judge manages his counsel and manages his case?—I have laid stress on that, but I think one year of itself would be a great advantage in that respect, and I do not see that it is necessary to have two. I myself went through that course for two years and found it a very great advantage to me all through my service, even on the executive side.

19274. Some Barristers have told me that it is almost essential to have two years' reporting in order to get a thorough knowledge of the way in which an English court is run. Would you concur in that?—I do not think it is necessary at all. If you prescribe a certain class of courts to be attended and a certain number of cases to be reported, I think you can do it quite well in one year, at any rate sufficiently so for all that is required for the general body of Civil Servant coming out to India. I am speaking as one who has gone through that course of training.

19275. You think you would get the adequate legal teaching in India for the second year?—Yes, I think that can be got. Anyone of intelligence, who had done one year in England, would probably be able to get up these codes by himself.

19276. Have you ever considered whether it would be possible to send any of the most promising and brilliant members of the Provincial Civil Service to England for a course of study?—I have not thought of sending them for a course of study, but I have thought they should be encouraged, when their first furlough becomes due, to go to England. I would give them their first furlough at an earlier stage than now, and allow them to take 18 months then for this purpose; and if they could put in 18 months in England after eight years' service, it would be a very good thing. The only encouragement I should think it necessary to give them would be to inform them that it would be an advantage which would tell in their favour when selections came to be made for district charges.

19277. Would you recommend that these 18 months should be spent in a Barrister's chamber in London?—No. I am not referring to the men who are going into the Judicial branch of the service, but to the Executive branch. My answers all through refer to the Executive branch of the service, except when I am dealing specifically with the Judicial branch of the Provincial Civil Service.

19278. I was referring to the Provincial officer?—I think he has acquired a very good knowledge of criminal law by the time he has done eight years in trying cases in the courts.

19279. You think it might be desirable to select a certain number, either with or without examination, of your best Provincial Service men after eight years passed in the Provincial Civil Service, and recommend them to spend 18 months in England?—Yes.

19280. What would you recommend they should study there?—I do not think they should be confined to study; I do not say that at all. I think generally they should get some knowledge of English life and English ideals.

19281. Have any officers of the Provincial Civil Service so far used their furlough in that way?—I do not know. A very few may have. There are some who have got into the Provincial Service who have already been to England. As far as my experience goes, I cannot say that more than a very few may have used their furlough in that way. They get one year at the most and they rather spend it at their homes or not very far away.

19282. (*Mr. Madge.*) You have given us certain suggestions and opinions which, although not exactly contradictory, do not, unless I have misunderstood you, dovetail into one another. I should like therefore to ask you, with regard to what you say as to men in the Provincial Civil Service coming from the same and possibly a better class than those who go home for the open competition, supposing it were put to the Commission that we should adopt one or other of the two methods, would you prefer the competitive examination to the promotion from the Provincial Service for the Indian?—Personally I think the Provincial Service would provide the better man, assuming that under the suggested scheme of selection in India separately you do not send the successful man home afterwards for probation in England, that they start on the same training and go on discharging the same duties, as I understand to be the case.

19283. When you say that you have in mind that your suggestion of nomination combined with examination might result in such serious consequences as these. In the first place there might be favouritism at home, or in the second place if there was no favouritism there might be mistakes, and in the third place you might shut out a class of men who were really very good fellows but were not nominated. I put forward these three points in order to ask whether in preferring promotion from the Provincial Service you have had them in mind at all?—I have certainly had to bear these things in mind. Men have to be selected, however, even from the existing service; you cannot promote men from the Provincial Civil Service by seniority alone. In the appointment of men from the Provincial Civil Service to the charge of districts or to the higher posts you must necessarily proceed by selection.

19284. By British characteristics do I understand you to mean what other witnesses have meant, that the competitive examination tests certain mental qualities but in no way tests other characteristics of the average Englishman which make for good government in this country?—I cannot say I am familiar with what other witnesses have said, or in cases where I have read it I cannot remember it distinctly, but I am bound to say it is not a complete test, and that, I think, would be admitted on all sides. I do not know of any more complete means except a theoretical test, namely, selection prior to competition, and that I think would be very difficult to carry out in practice. I do not see that there is any other practical test than competition. The results depend on the kind of men who go up.

19285. Not only in respect of Indians but in respect of other nations, the French, the Portuguese, and others, the competitive examination, if it were a purely mental test, would not test other qualities which the average Englishman is presumed to possess because of his heredity, environment, and other things. Is that your opinion?—The mere fact of being able to succeed in an examination of this standard does mean that a man is possessed of certain qualities, perseverance for instance, determination, resolution, and so on.

19286. Qualities that make for good government in Colonies and Dependencies?—I think you must judge by results, and I think you will find that on the whole it has given us a very good body of men. I believe that is admitted all the world over.

19287. You do not think that the Indians who have come out under competitive examination compare favourably with the Englishmen who have come out under the same tests. What is the proportion of inefficients among the European cadre, and the proportion of inefficients in the Indian cadre?—I cannot name any proportion; what I say is that the proportion in the case of Indians is greater than in the case of Europeans.

19288. You have referred to the Sonthal Parganas. You are of course aware that the Government have passed some half dozen regulations relating to all non-regulation districts, giving it as their reason they wished to protect primitive races from the kind of litigation and that sort of thing which is sometimes bred in them by the inferior class of lawyers?—Of course I am aware of that aim.

19289. Do you see any reason to doubt the reasons given for that?—I do not know that I am prepared to go into all these matters offhand. I merely mentioned the point incidentally when I was asked whether I had any judicial experience, the assumption being that I had not. I had that judicial experience. I should be prepared to go fully into the matter, but I should like to formulate my ideas again before advancing my reasons on the subject. This relates especially to the administration of the district of the Sonthal Parganas and a few others in which there are aboriginal people.

19290. It might throw light on a very important principle if you told us whether you believed those regulations were good?—One thing we have found it necessary to do in the protection of the weak is to keep the legal practitioner, who manufactures a tremendous network of technical law, out of the place. It has been found that we cannot protect the Sonthal except in that way: he often prefers to have no lawyer at all to help him, relying on the justness of the presiding officer. When he does get legal aid, his cases are distorted in order to conform with certain legal technicalities. I should like to have had time to go over all the various considerations involved.

19291. So far as that influence is concerned, even in regulation districts, has it tended to promote litigation as far as you are aware?—I think so.

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19296. With regard to the statutory civilians, do you think that the system failed because it was radically bad or because the selections made for it were not of the best?—Broadly speaking, I am inclined to think that the selections were not of the best, because it was assumed that this was an endeavour to get into the service of the country men belonging rather to the higher class, the more aristocratic class. I know that in Bengal there were two or three who got appointments in that way.

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19299. With regard to the members of the Provincial Civil Service who do not go home for the competitive examination, that may be partly because they cannot afford it, but may it not also be because they have scruples about going?—With regard to scruples about going, these caste obstacles and scruples in Bengal are of very little practical effect; in fact the editor of the *Bengalee* stated in 1910 that the caste obstacle was practically dead in Bengal, and you find a great number of men going home to study for the law and the medical profession, and many leading gentlemen in India send their sons to complete their education in England without any idea of competing for any particular employment. I remember reading that the Maharaja of Benares and the Pandits of Benares stated that they should encourage people to go to England and free them from any difficulties on account of caste, and that they would readmit them to caste on their return. There are no doubt difficulties. It is obvious that a man going the long journey from India to England, apart from caste objections, is at a disadvantage, but then it argues the possession of certain qualities that are useful, because it requires a certain amount of moral courage, resolution and enterprise for him to go to England and study.

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19301. (*Mr. Chaubal.*) In your answer to question (3) you say that there are certain sections of the Indian community, for example the Muhammadans, who at present do not succeed in competitive examinations as well as others, for example the Bengalis. I suppose you have in mind only the small number of Muhammadans who pass in the higher examinations?—One knows it as regards all examinations.

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19302. Have you in your mind the comparatively smaller number of a community like the Muhammadans, or have you tried to compare the number which comes out successful with the proportion of the educated classes?—I have not made any comparisons of that kind. Taking the Muhammadan class as a whole, I do not think they are mentally anything like so alert as the Hindus.

19303. What is the basis for saying that?—Experience.

19304. Experience such as you gain from the results of examinations?—I do not refer only to the Indian Civil Service, but to all kinds of examinations.

19305. You think that the results of examinations show that Muhammadans as a class have less acute brains than other classes?—He is not mentally so alert, and has not the same facility in tackling examinations. For instance, he is not so good at cultivating his memory.

19306. Is that an inference based on the comparatively smaller number of Muhammadans coming out successful in any of the examinations?—No, it is not based entirely on that. It is based on my general experience of Muhammadans as compared with Hindus, of Muhammadan clerks, for instance, as compared with Hindu clerks, of the way they carry on their work and the intelligence they show in carrying it on.

19307. I suppose if that is correct, you ought to expect it to be brought out in the results of the examinations?—I believe it is.

19308. Therefore I ask you whether you have tried at any time to see what the proportion of the successful candidates is to the educated portion of the community. Take, for instance, a community the total number of which is 50,000 and another community which numbers one lakh. If out of the one lakh community you find only two successful in an examination, and out of the community of 50,000 you find ten successful, unless you compare the educated classes of the community of one lakh and the educated classes in the community of 50,000, your percentage based on the results of the examination is likely to be fallacious?—Naturally. If you were to base anything on the fact of the results, you would take those who have educated themselves up to the same standard and compare the two together.

19309. Then if you take those, do you find that difference?—I have never worked it out, but I should say distinctly that that is what I think. The Muhammadans are not the only class. I only took them as an instance. I find the Biharis, for instance, also deficient as compared with Bengalis.

19310. Whenever you speak of any community as being backward in education, I want to know whether you have compared the results of the examinations with the educated proportion of the community?—I have not compared the things statistically.

19311. With regard to your answer to question (16), may we take it that it is your distinct impression that when the age-limit was 17 to 19, an undue proportion broke down physically?—I am going back to a period verging on thirty years, and there is always a tendency for the cases in which there has been a break-down to persist in the memory more than the cases where there was no breakdown; so that it is only an impression.

19312. It is very few that can give us their recollections of what were the results of that early age, and we are glad to have yours. Your impression is that the larger strain on the minds of these young men was perhaps the cause of it?—Yes, that was the impression I had of the cause. The fact is that some did break down.

19313. Was that impression strong enough to make you think of that as a factor against reducing the age to the old limits of 17 to 19?—I should not like to base my opinion as to the advisability or possibility of doing that solely on that limited experience.

19314. Supposing it were proposed to bring down the age to 17 to 19, would you consider this as an element against bringing it down, as one of the considerations?—I say it is one of the factors to be reckoned with, but it should not be the determining factor. I do not think it would prove the determining factor.

19315. And you would say the same thing about knowledge of the world?—I think that is very useful and is a distinct advantage.

19316. Your impression is that those who came out under those age-limits had less knowledge of the world?—Certainly.

19317. You probably admit that under the present circumstances of India it is of some importance that men who on coming out here get as much power in their hands as members of the Indian Civil Service should have more mature judgment and better knowledge of the world?—Yes, mature judgment, greater experience, and broader views.

19318. And under the present circumstances that is more necessary than it was at one time?—I think you require better men now than you did in the old days, at any rate for the Executive branch.

19319. Is this the substance of all your answers given to the different members of the Commission, that if there was an Indian Civil Servant who had such Western culture as the present curriculum for English students prescribes, with residence at a Unversity for two or three years, certain Indian servants would not be undesirable?—Yes, that is a useful and desirable thing for an Indian in the Indian Civil Service.

19320. And if there was any large number of such Indians introduced into the administration there would be no objection to them, would there?—It would depend on the test applied.

19321. Take the same test as now obtains, that they go through the competitive examination of the same difficulty as at present, the same curriculum as at present, with three years' residence in England in order to get wider knowledge of English habits and English ways of living and English administration, and an education which would teach him to be absolutely impartial, and all the qualities that can be assured by residence in England: taking all this, I suppose there would be no objection to the employment of such an Indian in the Indian Civil Service?—He would have to get through the examination in any case and I presume that as he was on the spot in England he would get through the examination at home if qualified.

19322. There would be no objection to such a man?—If he had been in England he would presumably go up for the examination there.

18323. If you get the same sort of material by an examination held out here, ensuring also residence at home, what objection would there be to that?—I do not think you would get the same material out here, even in the case of those who would subsequently have had a period of residence at home.

19324. Whether we get it or not, my question is that, supposing instead of the examination being held in England there was the same competitive examination, of the same difficulty, in India, and those who passed that examination had three years' residence at a University in England after having passed, what would be the objection to such men being employed in the Indian Civil Service?—I think the earlier the Indian goes to England the better. Do you mean that the examination out here would be confined to men selected to compete?

19325. No, it should be open to anybody. —If it is to be open to everyone and to be a free competition I am afraid I cannot recede from the position I have taken up already, namely, that it would gradually lead to the admission of a greater number of Indians into the Service than would be compatible with the maintenance of the British standard.

19326. If it is the same examination?—The examination is not the sole test. I am bound to say one must take racial qualifications into account.

19327. Surely you are not going to shut the English door against Indians?—Not at all.

19328. Supposing Indians passed through the English door in greater numbers than the necessary proportion you have in your mind, how would you stop that?—By increasing the attractiveness of the Service to Europeans. Then you will get a better class of competitors and that will raise the standard attained. I believe the number of Indians will increase because the attractiveness to the European candidate is decreasing and is likely to go on decreasing unless something is done to improve the present conditions.

19329. Assume that you make the Indian Civil Service as attractive as possible, and assume that after you have done that a larger number of Indians come in through the English door; is there any possible way of preventing that?—Not if you have the door open; if the door is open then they can get in.

19330. Supposing that door is kept open in India and you get men of the same qualifications, what would be the objection to having the examination here?—I do not think you would get the same qualifications.

19331. Why not? You have the same education and the same residence in England, only instead of being previous to the examination it is subsequent to the examination?—I think you stated that this examination would be open to all in India, and what guarantee is there that those in India would not swamp Indians who came back from England? I do not think that men who had come out from England after some training there and went up for the examination would be at all likely to succeed in the examination out here as well as men who had been studying hard for it in this country.

19332. I do not yet see the objection to simultaneous examination that you are thinking of?—If you have it open to men who do not possess the qualities which I consider essential, then these men would probably get in by examination here to an undue extent. It would trench on the irreducible minimum of Europeans.

19333. You have nothing by which you ensure the possession of those qualities in these that now appear at home?—Except that you postulate it by the fact that they have gone to England and therefore possess certain qualities, such as moral courage, resolution, enterprise, and so on, which lead them to go to England.

19334. With regard to your answer to question (18) of the Provincial Civil Service questions, it is the same answer as that which you give to question (88) in regard to the Indian Civil Service?—Yes. I do not know that I understand what was intended by the question.

19335. Persons in the Provincial Service who exercise magisterial powers receive the same legal training which the subordinate judiciary of the Indian Civil Service have?—A number of those who get into the Provincial Civil Service now have taken the B. L. degree; and a number of them have undergone a legal course of training, but you cannot say they have had the same amount of training as those who are appointed to the Judicial branch, because for the Judicial branch a man requires to have practised at the Bar for some time, three years I think.

19336. Is it necessary that a man must be a B. L. in order to get into the Executive Service?—No.

19337. But it is absolutely necessary he should be a B. L. in order to get into the Judicial Service?—I believe so.

19338. Therefore, taking the original qualification, you cannot say that every person who exercises magisterial authority in the executive line has that training and knowledge of law which the person entering the Judicial Service has?—If you refer to Civil Law he certainly has not, but I think his training in Criminal Law is greater than that of the ordinary pleader.

19339. You mean such training as he gets in passing through the lower standard and higher standard?—Yes, and furthermore the practice of trying cases.

19340. If you bring in a man who has has absolutely no legal training and entrust him with magisterial work, I daresay that after ten years' practice he will be greatly improved. But we are now speaking about recruiting the Service with men who by their studies and attendance are expected to be capable of doing the work. Therefore if you take the two lines, the judicial and the magisterial, as the standard, while you can say of the man who enters the judicial work that he has a certain training in law you cannot predicate the same thing of the man in the executive line so far as he disposes of magisterial work at the start?—Not at the outset, but you have to recruit your Executive branch at an earlier age than you recruit the Judicial.

19341. You concede that at the start he is not equipped with that same knowledge of law which his brethren on the judicial side have?—Yes, academic knowledge of law.

19342. Supposing this magisterial work which the executive officer performs is transferred to the man who does the civil work, keeping the executive and administrative work only for the executive officer, and allowing the man who does the civil work to do both civil and criminal, bearing in mind the question of expense which we can consider afterwards, what would be your objection to that?—So far as the actual trial of criminal cases is concerned there is probably not much to choose between the two at the outset.

19343. And there would be this advantage that, while so far as the criminal work goes he is not in any way subordinate to the person who does the criminal work of the whole district, the District and Sessions Judge, he would be subordinate after the change?—I think, if I remember rightly, subordination has a technical meaning in the Criminal Procedure Code as regards that; and that the executive man in magisterial work is only subordinate owing to the fact that appeals lie to the Sessions Judge. But there is the question of control over him, and I have found it extremely difficult in my inspections to get him to maintain a proper standard, for instance, to prevent the fudging of witnesses' registers.

19344. I am not speaking of that, but of subordinate in this sense. The magistrate's prospects of promotion in the Service now depend entirely on the executive head of the district?—So far as they are employed in the general line undoubtedly their promotion depends on how they discharge their work in the opinion of the district officer.

19345. The district officer at present has entire control of their promotion and prospects?—Only after the stage when selection comes in. Up to then they get their grade promotion, unless they are absolutely inefficient, in due course.

19346. My point is that under the present system the person who is the principal Sessions Judge of the district has no control whatsoever over the subordinate magistracy who do the criminal work?—He has the right to inspect their courts in Bengal, but he very seldom takes the trouble to do that duty, and it is left to the district officer and the Commissioner to do it for him. I am speaking of what I know.

19347. It is not supposed to be a part of his duties; a District and Sessions Judge is not supposed to go round and examine Magistrate's courts?—In Bengal it is the case, but very few Judges have done it. I have known some of them try it to a partial extent.

19348. I understand you to say that about four or five years would be sufficient period for bifurcation between the two lines?—About five years I should say.

19349. May it even not be a little less?—I will put it a little less because in making a calculation I overestimated the period of serving in settlement work. I think a couple of months' insight into that would be enough for a judicial man.

19350. It would be quite possible for the necessary acquaintance with the administrative and executive work to be obtained by a civilian within the first three years of his coming into the country?—I think it would be advisable for them all to have five years, but it should be remembered that during that period the man is doing actual, solid work and at the same time acquiring training.

19351. You think it would not be possible to reduce the five years?—No, you must give him 18 months' probationary training. I include probation. I have rather revised my opinion in that respect.

1952. Five years with probation?—About 5½ years with probation, I think it might be done in that time, apart from study leave at home.

19353. (*Sir Murray Hammick.*) When you were taking notes of cases at home under probation did you find that the second year's cases were of considerably more importance than the first year's?—If I remember rightly I think they prescribed a higher class of case and a higher grade of court, but I do not see why that should not be prescribed in the first year.

19354. Do not you think that before a pupil can take notes in the higher courts in England it would be very necessary he should have learned a considerable amount of law so as to understand what was going on?—He is learning law. At the time I underwent my probation we learned a great deal of law; we went through even the Civil Procedure Code.

19355. Do not you think the amount of law you had learned by the end of your first year made you much better able to profit by the notes you took in your second year than would have been the case if you had had to go to the higher courts during your first year's probation?—I do not look upon the probation in the courts as a means of acquiring a knowledge of law but more as a means of acquiring a general knowledge of practice, especially, in applying the rules of evidence and of seeing the manner in which trials are conducted when there are the best advocates employed on each side.

19356. With regard to the scheme of probation you have suggested, do not you think it would be rather disconcerting to the pupil at home if at the end of one year he had a complete breakup to take leave of his relations and friends and then came out here and started in a college again? Do not you think that would spoil the course he was undergoing?—I ought to explain that I should contemplate him as definitely selected for the Indian Civil Service at the end of the first year. The second year would therefore be not probation but training. I would not reject him after he came out here.

19357. But do not you think that the course we ourselves took would have been very much interfered with if we had to take a holiday to say farewell to all our relations and friends and then proceed to India in the middle of the course?—It is a big break. I was thinking of the advantages of acquiring a colloquial knowledge of the language because I think the language we learned in England was not of the colloquial type. One could read a newspaper immediately on coming out but not converse.

19358. Do not you think that the temptations of a college in India, placed in some more or less central town, would be very considerable to those young students who came out on Rs. 400 a month?—I have indicated in my written answers that I would rather not put them in large towns, and I would give them Rs. 400 a month when they came out.

19359. But do not you think that the temptations and social distractions in a college of this sort, wherever it was situated, for instance sports possibly and all kinds of social distractions, would possibly end in many of the students being in debt by the possibly end of the first year if they only had Rs. 400 a month to live on?—I do not know that it would, any more than it affects the men in the police. I think it has been useful to these. There is no guarantee that the second year of probation in England would be devoted assiduously to the work of the Indian Civil Service.

(The witness withdrew.)

(Adjourned to Bombay.)

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APPENDIX I.

*Written Answers received from the Bengal Government * to questions relating to the Indian Civil Service.*

(1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Government accepts the present system of recruitment by open competitive examination as generally suitable.

(3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system was not designed with a view to recruiting Natives of India, and if it were only a question of their recruitment, open competition would have many drawbacks. The system is based on the assumption that the competitors, as a whole, possess the necessary qualities for administration, and it does not provide in any way a test of those qualities. It is to this extent suitable, in that under it, in the majority of cases, some portion of the education and training of successful candidates takes place in England; but if they ever come to consist largely of Natives of India, it would probably be possible to devise a more suitable method of recruitment.

(4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—There appears to be no necessity to differentiate between other classes of natural-born subjects of His Majesty.

(5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—If the lower limits of age recommended by this Government are accepted, this question does not arise.

(7) What is your opinion regarding a system of simultaneous examination in India and in England open in both cases to all natural-born subjects of His Majesty?—This Government is opposed at present to any system of simultaneous examinations.

(8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—No.

(9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—This Government would be prepared to consider some system of direct recruitment in India for posts at present included in the Indian Civil Service cadre, but which, it is not essential, should be held by a European trained agency. This opinion, however, is subject to the proviso that the European minimum is maintained in the Indian Civil Service, and that the present system of listed posts is not interfered with.

(10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—This is covered by the answer to question (9).

(11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—If separate provision is made for some system of direct recruitment in India as indicated in the answer under question (9), Natives of India should be eligible for appointment in England only if they have undergone a fixed period of education and training in England before the open examination.

(12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—It should be supplementary to the present system.

(13) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—This Government does not recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service.

(14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within he dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The definition was drawn for a particular purpose, *viz*, to include all those who might consider themselves partially disqualified from the higher branches of Government service owing to the conditions of the open examination for the Indian Civil Service and to the fact that that examination takes place in England. For this purpose the definition seems suitable, and there seems no reason to differentiate between those of European and Indian descent. There-

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* The views of the Bengal Government should be read subject to a Minute of Dissent recorded by the Hon'ble Nawab Syed Shams-ul Huda, Member of the Executive Council of His Excellency the Governor of Bengal, which has been reproduced as Appendix III.

are some possible anomalies under the definition, but they are few in number, and it is probable that no definition could be free from similar *anomalies*.

(15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—This Government considers that the age of arrival in India should not be later than 23; it is also essential that there should be at least two years' probation in England to provide for the necessary training in law and other subjects. This Government would favour a system of three years' training at a University after passing the examination. To admit of this the maximum age-limits should not be above 20.

(16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—The higher age-limits have now been in force for 20 years, and it is difficult to institute any general comparison of the merits of the two sets of candidates which is not based on *a priori* reasoning. A comparison of the relative merits of senior officers who came out just before or just after the change is hardly possible.

(17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Not quite so many candidates from the best schools or with the best honours come to India as used to in the earlier years of the present system. The attractions of the service would have to be considerably enhanced before India can expect to get always the very best men that appear at the combined examination, but the service does obtain an excellent class, and there appears to be no general falling-off in this class of recent years. It must be remembered, however, that any dissatisfaction in the service or any alterations in the attractions of the work in India take some time to reflect themselves in recruitment.

(18) What is the most suitable age at which junior Civilians should arive in India?—Between 22 and 24.

(19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—Indians generally would desire high age-limits such as the present in order to enable Indian candidates to take a University degree in India before appearing at the examination in England. It does not appear, however, that the present high limits have resulted in any increase in the number of Indians successful at the open examination, and the practice of taking a degree in India prevents long residence in England before the open examination. What is to be desired in an Indian candidate is not high University distinctions, but a reasonably long training in England.

(20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—The field of activity of the Indian Civil Service is so wide that no attempt to recruit specialists would be successful. The basis of the open competitive examination is that any given body of English youths who have received an English education and training may be assumed to possess the qualifications necessary for the work of the Indian Civil Service. To secure a wide field of candidates, the examination must therefore be on the same lines as the ordinary English education, and any attempt to specialize it would restrict the number of candidates and possibly alter their average quality.

(22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

(23) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service; and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]—The Act of 1861 itself provides the machinery for getting over the statutory reservation of certain posts for the Indian Civil Service, and the Act of 1870 definitely waives the reservation in favour of Natives of India. The two Acts between them take away all the statutory protection conferred by the schedule. The schedule, therefore, remains merely as the enunciation of a principle or policy, and as such is a valuable guarantee which serves to assure candidates for the Indian Civil Service that their work will be of an important character and of a kind that is likely to attract the best men. The repeal of the schedule would probably be regarded with distrust by a large majority of men at present in the service, and that distrust would certainly re-act on recruitment, while the maintenance of the schedule will not in practice throw any obstacles in the way of wider employment of Indians. Regarding the schedule merely as the assertion of a principle the actual posts that are included in it are not of much essential importance, provided that they are high administrative and directory posts, and from this point of view there does not appear to be any object in altering the present schedule.

(24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

—If the present system of recruitment in England is maintained, this question does not arise.

(25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited, partly through the medium of an open competitive examination in England, and party by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system; and, if so, what?—The present system is generally satisfactory in principle.

(26) Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary?—

No.	Name.	Year in which admitted to the Indian Civil Service.	Present post.			Present salary.			
			Substantive appointment.	Officiating appointment.	Station.		Rs.	A.	P.
1	Mr. Arthur Goodeve.	1886 ..	District and Sessions Judge, 2nd grade.	District and Sessions Judge, 1st grade.	Burdwan ...	Pay A. A. Total	2,500 500 3,000	0 0 0	0 0 0
2	Mr. Lokendra Nath Palit.	1886 ...	Joint-Magistrate and Deputy Collector, 1st grade.	District and Sessions Judge, 3rd grade.	Bankura ...	Pay A. A. Total	900 733 1,633	0 5 5	0 4 4
3	Mr. Muhammad Yusuf.	1892 ...	District and Sessions Judge, 2nd grade.	......	Rangpur ...	Pay	2,500	0	0
4	Mr. Satis Ch. Mukerjee.	1892 ...	Magistrate and Collector, 1st grade.	......	Nadia ...	Pay	2,250	0	0
5	Mr. Kiran Ch. De.	1893 ...	Magistrate and Collector, 2nd grade.	Magistrate and Collector, 1st grade.	Rangpur ...	Pay A. A. Total	1,800 450 2,250	0 0 0	0 0 0
6	Mr. Jnanendra Nath Gupta.	1893 ...	Ditto ...	Ditto ...	(Special duty)	Pay A. A. Total	1,800 450 2,250	0 0 0	0 0 0
7	Mr. Satyendra Ch. Mallik.	1897 ...	District and Sessions Judge, 3rd grade.	......	Nadia ...	Pay	2,000	0	0
8	Mr. Joseph Vas	1898 ...	Magistrate and Collector, 3rd grade.	Magistrate and Collector, 2nd grade.	Malda ...	Pay A. A. Total	1,500 300 1,800	0 0 0	0 0 0
9	Mr. Gyanendra Nath Roy.	1898 ...	Substantive *pro tempore* District and Sessions Judge.	......	(On leave) ...	Pay	2,000	0	0
10	Mr. Sharat K. Ghosh.	1903 ...	Joint-Magistrate and Deputy Collector, 2nd grade.	District and Sessions Judge, 3rd grade.	Additional District and Sessions Judge, Bakarganj.	Pay A. A. Total	700 866 1,566	0 10 10	0 8 8
11	Mr. Mahim Ch. Ghosh.	1904 ...	Ditto ...	Ditto ...	Additional District and Sessions Judge, Mymensingh.	Pay A. A. Total	700 866 1,566	0 10 10	0 8 8
12	Mr Guru Saday Dutt.	1906 ...	Ditto ...	......	Pabna and Bogra	Pay A. A. Total	700 866 1,566	0 10 10	0 8 8
13	Mr. Probodh Ch. De.	1908 ...	Assistant Magistrate and Collector.	Joint-Magistrate and Deputy Collector, 2nd grade.	Kishoreganj, Mymensingh (Sub-divisional Officer).	Pay A. A. Total	500 200 700	0 0 0	0 0 0
14	Mr. Benegal Narsingha Rau.	1910 ...	Ditto ...	......	Chandpur, Tippera (Sub-divisional Officer).	Pay	500	0	0

(28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived; and, if so, what method of recruitment would you recommend?—This question is covered by the answer to question (9).

(29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers and (*b*) others, and give details of the latter.—There are no such officers in this province.

(31) If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The object of such a system is either to expand the Civil Service in time of stress, or to provide officers who have had a special training to provide special requirements. The present circumstances of the province do not require any such assistance to the ordinary Civil Service.

(33) Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V, to these questions, showing the number of officers, places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—Yes, they are in accordance with the decision of the Government of India on the reconstitution of the province in April last.

(34) Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—The listed posts have ordinarily and regularly been filled by Natives of India, except the Under-Secretaryship to Government. The Junior Secretaryship to the Board in Bengal Proper was so filled from 1905 to 1910, when both the members of the Board recorded their joint experience to the effect that the member has never got efficient assistance from a Secretary taken from the Provincial Service. The member in charge had then had four years' experience of such a Secretary, and strongly pressed for the appointment of a civilian. The appointment of Junior Secretary will, it is expected, shortly be abolished, and the officer holding that appointment is now practically doing the work of Deputy Secretary to Government. No suitable officer has been found in the Provincial Service to hold the appointment of Under-Secretary. With a view of training officers of the Provincial Civil Service in Secretariat work and of making them better fitted to hold posts such as those of Personal Assistants to Commissioners, in which a knowledge of Secretariat procedure is very useful, a scheme was started two years ago by which two or three junior Provincial Service officers are employed for five months each cold weather as Assistant Secretaries in the Secretariat departments. Although it has not been found possible to appoint an officer of the Provincial Civil Service to an Under-Secretaryship, which is an inferior post, officers of this service have been employed in superior posts connected with the general administration in excess of those which have been declared as listed, as will appear from the appended statement which relates to the past three years:—

BENGAL.

Holders of listed posts during the years 1909 to 1911.

—	NAME.	Substantive appointment.	Officiating or temporary appointment.	DATE.	
				From—	To—
Statutory	Barada Charan Mitra ...	District and Sessions Judge.	......	1st May 1900* ...	Still a Judge.
Provincial Civil Service.	Rai Jogendra Nath Ghosh Bahadur.	Ditto ...	......	19th June 1905*...	27th September 1909.
Ditto ...	Shoshi Bhushan Chaudhuri.	Ditto ...	......	21st December 1905.*	4th July 1910.
Ditto ...	Tej Chandra Mukherji...	Ditto ...	......	22nd December 1908.*	Retired from Bihar and Orissa.
Ditto ...	Jogendra Nath Mitra ...	Ditto ...	......	27th September 1909.*	5th April 1910.
Ditto ...	Rajendra Nath Dutta ...	Ditto ...	......	4th July 1910*...	Still a District and Sessions Judge.
Ditto ...	Ram Lal Dutta ...	Ditto ...	......	16th March 1911*	Still a Judge in Bihar and Orissa.
Ditto ...	Jogendra Nath Mukherji	......	Offg. District and Sessions Judge.	30th October 1909	24th January 1910.

* Date of substantive appointment.

BENGAL—*concluded.*

Holders of listed posts during the years 1909 to 1911—concluded.

—	NAME.	Substantive appointment.	Officiating or temporary appointment.	DATE.	
				From—	To—
Provincial Civil Service.	Pankaj Kumar Chatterji	......	Offg. District and Sessions Judge.	2nd January 1908 5th June 1911 ... 25th October 1911.	14th July 1908. 22nd September 1911.
Statutory	Surja Kumar Agasti ...	Magistrate and Collector.	......	5th February 1898.*	24th February 1912.
Ditto ...	Ahshanuddin Ahmad ...	Ditto ...	......	15th December 1899.*	
Provincial Civil Service.	Ramendra Krishna Deb	Ditto ...	......	1st April 1902*	Still in service.
Ditto ...	Krisanji Anant Shirole	......	Offg. Deputy Commissioner.	4th June 1909 ...	18th June 1909.
Ditto ...	Jatindra Nath Gupta ...	......	Ditto ...	2nd June 1910 ...	13th July 1910.
Ditto ...	W. H. Thomson ...	......	Ditto ...	9th October 1911	8th November 1911.
Ditto ...	Sarat Chandra Chatterji	......	Ditto ...	7th May „	16th June 1911.
Ditto ...	Srigopal Bhattacharji ...	......	Sub. *pro tem.* Magistrate and Collector, 3rd grade. Joint Secretary to Board.	30th October 1908.	17th October 1910.
Ditto ...	Ramballabh Misra ...	......	Sub. *pro tem.* Magistrate and Collector. Offg. Magistrate and Collector.	30th „ „ 27th January 1912	17th April „ Still acting in Bihar and Orissa.
Ditto ...	Atal Behari Maitra ...	......	Ditto ...	12th October 1908 2nd February 1909.	27th October 18. 8th March 1909.
Ditto ...	Hemendra Lal Khastagir	......	Ditto ...	9th September 1909.	30th October 1909.
Ditto ...	Ramsadan Bhattacharji	......	Ditto ...	8th July 1909 ...	24th November 1909.
Ditto ...	Manomohan Ray ...	......	Ditto ...	27th September 1909. 16th May 1910 20th October „	17th October 1909. 16th June 1910. 14th December 1910.
Ditto ...	Rowland Chandra ...	......	Ditto ...	21st September 1909. 17th November 1909.	12th October 1909. 21st November 1909.
Ditto ...	Saiyid Zakir Hosain ...	......	Ditto ...	1st October 1909 7th September 1910.	18th October 1909.
Ditto ...	Mukunda Deb Mukherji	......	Ditto ...	20th May 1910 ... 18th „ 1911 ... 27th June „ ...	3rd June 1910. 5th „ 1911. 14th July „
Ditto ..	Kumud Nath Mukherji	......	Ditto ...	6th September 1910.	24th November 1910.
Ditto ...	Jotish Chandra Sen ...	......	Ditto ...	14th September 1910.	8th October 1910.
Ditto ...	Nagendra Nath Gupta	......	Ditto ...	18th September 1910.	8th „ „
Ditto ...	Hashmat Hosain ...	......	Ditto ...	1st October 1910	8th „ „
Ditto ...	A. W. Warde Jones ...	......	Ditto ...	23rd September 1911.	26th September 1911.
Ditto ..	Khondkar Fazlul Haq ...	......	Ditto ...	27th September 1911.	23rd October 1911.
Ditto ...	Muhammad Habib-ullah	......	Ditto ...	27th June 1911 ...	4th August 1911.
Ditto ...	Krishna Kali Mukherji	......	Ditto ...	15th September 1911	28th September 1911.

* Date of substantive appointment.

EASTERN BENGAL AND ASSAM.

Holders of listed posts during the years 1909 to 1911.

—	NAME.	Substantive appointment.	Officiating or temporary appointment.	DATE.	
				From—	To—
Statutory	Saiyid Nurul Huda ...	District and Sessions Judge.	......	15th December 1899.	31st December 1912.
Provincial Civil Service.	Abdul Majid ...	Ditto ...	......	21st July 1907. ...	Still a Judge.
Ditto ...	Gopal Ch. Biswas ...	......	Offg. District and Sessions Judge.	7th December 1908. 23rd April 1909. 26th July ,,	
Ditto ...	Pran Krishna Banerji ...	......	Ditto ...	22nd August 1909. 22nd February 1910 19th June 1910.	—
Ditto ...	Raj Krishna Banerji ...	District and Sessions Judge.	Ditto ...	15th November 1909.	8th December 1909.
				18th April 1910	3rd June 1910.
				15th July ,,	24th August ,,
				4th November 1910. 16th December 1910. 31st July 1911.	
Ditto ...	Sarada Prasad Sen ...	......	Ditto ...	23rd March 1911.	
				23rd June 1911 ...	16th July 1911.
				28th October 1911.	23rd December 1911.
Ditto ...	Ali Ahmad	......	Ditto ...	5th June 1911. 20th July ,,	
Ditto ...	Muhammad Azhar ..	......	Offg. Deputy Commissioner	7th March 1909	
Ditto ...	Umesh Chandra Sen ..	......	Offg. Magistrate and Collector.	3rd September 1909.	15th October 1909.
Ditto ...	Nabin Chandra Das ...	......	Ditto ...	19th September 1909.	
Ditto ...	F. M. Clifford ..	......	Ditto ...	10th October 1909.	
			Offg. Deputy Commissioner.	19th January 1910.	
Ditto ...	Khirod Ch. Sen ...	......	Offg. Magistrate and Collector.	10th November 1909.	12th November 1909.
				18th March 1910	6th April 1910.
				24th September 1910.	8th October ,,
Ditto ...	Rajani Kanta Bardolai ...	......	Offg. Deputy Commissioner.	22nd March 1910	15th April ,,
Ditto ...	Jatindra Nath Ray ...	......	Offg. Magistrate and Collector.	8th August 1910	25th August 1910.
				24th September 1910.	24th December 1910.
				5th May 1911	Still acting (seconded).
Ditto ...	Ganga Charan Chatterji	......	Ditto ...	17th July 1910	12th November 1910.
				7th May 1911 ...	Still acting.

(35) To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any.—All the listed posts have been held by members of the Provincial Civil Service, except that of Under-Secretary to Government. The Native of India who held this post was previously Registrar of the Financial Department of the Government of Bengal.

(36) Has the power to fill one quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized, and in what directions?—Except in the case of the Under-Secretary mentioned above, the power to appoint Natives of India other than members of the Provincial Civil Service has not been used.

The reason is that training in the Provincial Civil Service affords the most ready method of proving merit and ability, and, as no reluctance to enter that service has been experienced, it has not been found necessary to look outside that service.

(37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—This system has practically been abrogated by the system of recruitment for the Civil Service finally adopted in 1906. The Public Service Commission suggested that one-sixth of the appointments as Joint and Assistant Magistrates should be listed, or rather should be excluded from the schedule and amalgamated with the Provincial Service. Eight such appointments were listed in Bengal, the Assistant Magistrateships were amalgamated in the grades at once, and the Jointships as soon as the claims of civilians recruited prior to the introduction of the new system had been satisfied. The separate designations of Joint Magistrate and Assistant Magistrate were not maintained, because it was held that there was no object in giving a separate name to particular officers who did not differ in any way from their fellows in the service; on obtaining grade promotion they would have to give up the name and the maintenance of the designation, would encourage the idea, first, that the holders had some vested right to appointment to the listed posts above their fellows, and, secondly, that it was necessary for an officer to go through all the inferior listed posts before he was eligible for appointment to a superior post. The amalgamation did not give satisfaction to the public, because the position was not understood. At present there can be no meaning in an inferior listed post. The Civil Service is recruited to fill certain superior posts; the ordinary field of employment of the Provincial Service is the upper inferior posts. The Civil Service only trenches on this field so far as is necessary to provide training for officers of the Indian Civil Service before they attain the superior posts. On the one hand this training cannot be dispensed with; on the other, the number of inferior posts to be held by these officers must depend on the number of superior posts for which they are being trained, and the number cannot be increased beyond the proper ratio without causing a block in the Civil Service. They do not hold the inferior posts, therefore, because a European recruited agency is necessary for them, but only for the purposes of training. The junior officer of the Indian Civil Service when in training does work the same in kind (though possibly differing in degree), as is done by officers of the Provincial Service, and the retention of the posts of Joint and Assistant Magistrates in the schedule is a question of nomenclature. There are, therefore, now no special inferior posts reserved to the Civil Service which can be listed as open to the Provincial Service; and there can be no choice whether the inferior posts shall be amalgamated with the Provincial Service, because they already belong to the Provincial Service and are only occupied by Civilians for the purposes of training. The Under-Secretaryship is a special inferior appointment and has never been amalgamated with the Provincial Service.

(38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—The class of posts at present listed is suitable, and no changes appear necessary.

(40) Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—None.

(41) Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—No.

(43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The course of instruction in England should be continued.

(44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The probationer's course in England should be sufficiently long to give a thorough training in law, an adequate grounding in the grammar and literature of the vernacular language, and afford time for some reading in Economics, Political Philosophy and Indian History and Geography. If candidates are taken in at the lower age, probably three years could profitably be employed on this course, and this Government would favour a three years' probationary course at a residential University.

(46) If so, do you advise the selection of one or more Universities for this purpose, and for what reasons?—Only residential Universities in the fullest sense should be selected.

(47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Probationers should receive allowances. If residence at a University is insisted on, the allowance should be £200 a year. They should also receive a first-class passage to India.

(49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—This Government would be entirely opposed to the establishment of a separate institution in England.

(50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education, and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—The principle laid down by Lord Macaulay's Committee is sound.

(51) Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any)

you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you ?—This question has been partially answered under question (44). As regards legal training, the course of studies prescribed for the final examination in 1891 provided a very fair preliminary training, both theoretical and practical, and with the addition of the Transfer of Property Act, the Specific Relief Act, the Certificate Act, the Insolvency Act, the General Clauses Act and the Rent Law of the province to which the probationer may be sent, would furnish an adequate preliminary theoretical legal training. It is also desirable that, in addition, probationers should read for the Bar, taking all the Bar examinations up to, but not necessarily including, the final. This course would be common to all officers. For those who are selected for the Judicial Branch, a further practical training in India has been recommended with a further theoretical and practical training in England later on for one year.

(52) In particular, please state your opinion as to the desirability during the period of probation of (1) compulsory attendance at Law Courts in England and reporting of cases ; (2) the teaching of Indian Law in addition to the general principles of Jurisprudence; (3) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (4) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts ?—(1) The compulsory attendance at the Law Courts for the reporting of cases should be considered as a most important part of the probationer's training. It supplies the practical knowledge of procedure, conduct of business and relations between the Bench and Bar that is most essential for a Judicial officer. (2) A good sound grounding in the Indian Codes is advisable, and should form part of the preliminary course as well as the teaching of the general principle of Jurisprudence. An officer should have, when he comes out to India, a sufficient preliminary knowledge of Indian Law to enable him to begin actual work at once, if necessary. (3) The grammar and the script of the vernacular should be taught during the probation in England; the colloquial instruction would probably be more profitably undertaken on arrival in India. (4) A three years' probation would give time for some study of Accounts and the broader aspects of Political Economy. Geography would naturally be associated with the teaching of Indian History. Instruction in these subjects would prove of much benefit to probationers.

(53) Do you consider that the probationer's course of instruction can best be spent in England or in India ?—This Government is strongly of opinion that this course should be spent in England.

(54) What is your opinion of a proposal to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England ?—As regards any form of training in India, this Government greatly prefers the present system which gives the young officers responsibility and personal touch with their ultimate duties from the outset.

(56) In the report of the Treasury Committee appointed to consider the organisation of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India ?—The training in the principles of law could not be as well given in India, and attendance at Indian Courts would certainly not serve the purpose of attendance at the law courts in England. It might probably be possible to get good teachers in Oriental languages in a suitable scheme of instruction in India, but there would be some danger that the grounding in grammar, etc., would be put aside in favour of a rapid acquisition of colloquial knowledge, which could be put to immediate use. The climatic and social disadvantages would still remain.

(59) Do you consider that any differentiation is necessary, during the period of probation, between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty ? If so, please state the special arrangements that you recommend ?—As regards Natives of India who have entered the service by open competition in England, there appears to be no reason for differentiating them in any way from the probationers, except that they need not be required to pass an examination in their own vernaculars.

(60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India ? If not, what change should, in your opinion, be introduced ?—Junior civilians are sent to selected Collectors to be trained in the actual work of a district; they are put through the various departments and familiarised with the working of every branch of district administration. They have to report six defended cases tried in the court of a first-class Magistrate and six cases at the Sessions, and they must undergo a six weeks' training in the treasury. They have to spend also three or four months in a settlement camp. This system of training prepares them to hold charge of a subdivision and subdivisional work is the most valuable part of their training for higher office. Putting aside the question of the training of judicial officers the present arrangements for training junior civilians after their arrival in India appear to be suitable.

(61) Is the existing system of departmental examinations suitable, and, if not, what change do you recommend ?—The rules for departmental examinations were revised in 1909, and slight changes have been made since. No further suggestion for their improvement need be made at present.

(62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service ? If so, what are the causes ? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this be best remedied ?—It is generally admitted that the knowledge of Indian languages possessed by members of the Indian Civil Service is, on the whole, less now

than it used to be; but there is no reason to suppose that the colloquial knowledge of junior officers, at the stage when they are in charge of subdivisions, has deteriorated. In subdivisions a knowledge of the colloquial is absolutely necessary and is acquired; after that stage most of a Magistrate's work is done in English, most of his visitors and the Indians he is brought into contact with speak English, and his only opportunity of keeping up his knowledge of the vernacular is during his tours, which are necessarily intermittent. The excessive work demanded of a District Magistrate leaves but little time for study, and it is possible that in his one year's training in England he has not acquired as much grounding in the language as his predecessors did in two, and owing to his higher age on arrival in India the junior civilian may be disinclined to go more deeply into the study of the language than is necessary for his immediate work. Further reasons are that officers take more leave than they used to; they settle down less in India; they are more often married men; they are transferred now frequently from district to district, and they form fewer friendships with Indian gentlemen. The first essential for an improvement in proficiency is leisure, time to study the language and read its literature, and time to spend in the interior of the district in contact with the people so that the knowledge of the colloquial acquired in earlier years may not rust. Under modern conditions work in a district gets heavier and more engrossing. The only feasible course appears to be to provide encouragement for the study wherever it is possible to make sufficient leisure for it. This has now been done under the rules for the encouragement of the study of Oriental languages.

(63) Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—The Government of Bengal took up the question in 1908 and suggested that study leave might be granted to Civilians, that the rewards for passing should be increased, that the limits of service for each examination should be raised, and that an intermediate examination, the Proficiency, below the High Proficiency, should be instituted. All these proposals have recently been accepted by the Government of India, and no further alterations seem necessary until their effect is seen.

(64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—The course of training which is now proposed for the officers who are selected for the Judicial Branch is as follows:—The duration of probation in England immediately after passing the open competitive examination is to be extended, as before 1891, to two or possibly three years. The course prescribed in law for the final examination up to 1891 will be reintroduced, with the addition of the Transfer of Property Act, the Specific Relief Act, the Certificate Act, Insolvency Act, the General Clauses Act, Wards and Guardians Act and the Rent Law of the province to which the probationer is posted. Special attention must be paid to attendance at the law courts and the reporting of cases. It is desirable that the probationers should also read for the Bar and keep their terms and pass all the examinations necessary for a call to the Bar up to but not necessarily including the final. The course recommended up to this point is considered suitable for all officers. They would then come out to India and, for the first four or five years of service, would be employed in the general line. They would pass the departmental examinations now prescribed, which would give them a certain theoretical knowledge of the various Codes and Acts. They would attend the settlement and survey camp and hold charge of subdivisions. About the fourth year, those who were selected for the Judicial Branch would be vested with the powers of a Munsif and would try original suits as a Munsif for about one or two years. They would then be vested with the powers of Subordinate Judge and would try original suits as a Subordinate Judge. They might also be allowed to hear a few simple appeals from the decision of Munsifs, and might have the powers of an Assistant Sessions Judge, though not very much importance is attached to this, as their work should be chiefly, if not entirely, original civil work. They would then be sent home at about their seventh or eighth year of service to England on one year's study leave. This year would be spent reading with a selected barrister in chambers, and taking the final examination for the call to the Bar. As to the conditions of the study leave—an allowance of £ 200 in addition to furlough pay is considered to be sufficient. Government would also pay the fee of the barrister in whose chambers the officer reads, and also would pay the fees necessary for the call to the Bar. The payment of the allowance would be conditional on the call to the Bar. It is not necessary to prescribe any other examination at the end of the year of study leave. There should be no distinction between the two branches in the probationary period.

(67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—Yes.

(68) Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—All probationers who enter the service by the open competition in England are assumed to have the same qualifications; as they also have the same work to be trained for, there seems to be no reason to differentiate between them in regard to the system of training.

(72) The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the

completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—Government accepts the system and considers that the period of eight years is suitable.

(73) It is also part of the existing system that officers of over two but under eight years' completed service should fill, with practical permanency in the ordinary course of promotion, charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The arrangements for junior officers must depend on the decision arrived at as to the suitable period of service before attaining practically permanently to superior posts. The maximum limit of salary must depend on the minimum limit taken for superior posts, but the limit of salary in either case is not of the essence of the system but it is merely a rough guide.

(74) Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so, what, has been caused thereby to the Administration.—The statement is annexed. The 1st of April was adopted by the Government of India in 1910 as being the most suitable date to take as exhibiting the permanent position which officers have reached. In the first three years of the quinquennium there was a block in promotion, but in 1911 the promotion was rapid. The explanation is partially to be found in the fact that on 1st April 1909 only four officers above eight years' service, but not of permanent superior rank, were on leave; in 1911 twelve such officers were on leave or deputation; had these officers been on duty there would have been no excess in 1911, and had the figures been the same as in 1909 the excess would only have been four. Only two out of the 14 excess officers had less than six years' completed training, and no special inconvenience was caused to the Administration. The following table shows the figures for Bengal alone for the last five years:—

YEAR AND DATE.	Number of officers of eight years' service and over, not holding superior appointments.	Number of officers less than eight years' service holding such appointments.	Net number of officers not holding superior appointments.
1	2	3	4
1907.			
January 1st	13	...	13
April „	9	1	8
July „	4	1	3
October „	5	7	An excess of 2.
1908.			
January 1st	17	...	17
April „	6	...	6
July „	2	1	1
October „	5	1	4
1909.			
January 1st	10	...	10
April „	9	1	8
July „	5	1	4
October „	3	1	2
1910.			
January 1st	10	1	9
April „	3	2	
July „	2	6	An excess of 4.
October „	3	6	Ditto 3.
1911.			
January 1st	4	...	4
April „	...	12	An excess of 13.
July „	...	14	Ditto 14.
October „	...	13	Ditto 13.

N.B.—Officers on leave, or on deputation to foreign service, have not been counted.

1907.

1ST JANUARY.	1ST APRIL.	1ST JULY.	1ST OCTOBER.
Officers of eight years' service and over not holding superior appointments. (*Vide* col. 2 of page 1.)	Officers of eight years' service and over not holding superior appointments, (*Vide* col. 2 of page 1.)	Officers of eight years' service and over not holding superior appointments. (*Vide* col. 2 of page 1.)	Officers of eight years' service and over not holding superior appointments. (*Vide* col. 2 of page 1.)
Mr. R. G. Kilby (1896). „ A. H. Vernède (1896). „ W. S. Adie (1896). „ Satyendra Chandra Mallik (1897). „ A. W. Cook (1897). „ F. W. Ward (1897). „ L. S. S. O'Malley (1898). „ A. W. Watson (1898). „ A. Mellor (1898). „ L. Birley (1898). „ G. J. Monahan (1898). „ F. B. Bradley-Birt (1898). „ J. Reid (1898).	Mr. H. L Stephenson (1895).* „ H. C. Woodman (1897). „ W. R. Gourlay (1897). „ J. Cornes (1897). „ L. S. S. O'Malley (1898). „ A. Mellor (1890). „ G. J. Monahan (1898). „ F. B. Bradley-Birt (1898). „ J. Reid (1898).	Mr. H. L. Stephenson (1895).* „ L. S. S. O'Malley (1898). „ G. J. Monahan (1898). „ J. Reid (1898).	Mr. H. L. Stephenson (1895).* „ J. Johnston (1896). „ R. L. Ross (1898). „ L. S. S. O'Malley (1898). „ J. Reid (1898).

* Was Private Secretary to the Lieutenant-Governor.

1908.

1st January.	1st April.	1st July.	1st October.
Officers of eight years' service and over not holding superior appointments. (*Vide* col. 2 of page 1.)	Officers of eight years' service and over not holding superior appointments. (*Vide* col. 2 of page 1.)	Officers of eight years' service and over not holding superior appointments. (*Vide* col. 2 of page 1.)	Officers of eigh years' service and over not holding superior appointments. (*Vide* col. 2 of page 1.)
Mr. H. P. Duval (1896). „ J. Cornes (1897). „ R. L. Ross (1898). „ F. W. Ward (1898). „ L. S. S. O'Malley (1898). „ A. Mellor (1898). „ L. Birley (1898). „ G. J. Monahan (1898). „ F. B. Bradley-Birt (1898). „ J. Reid (1898). „ T. S. Macpherson (1899). „ J. Byrne (1899). „ Manmatha K. Deb (1898). „ J. T. Whitty (1899). „ V. B. Cobden-Ramsay (1899). „ B. R. Mehta (1899). „ J. C. K. Peterson (1899)	Mr R. L. Ross (1898). „ G. J. Monahan (1898). „ J. Reid (1898). „ Manmatha K. Deb (1899). „ J. T. Whitty (1899). „ V. B. Cobden-Ramsay (1899).	Mr. J. Byrne (1899). „ J. T. Whitty (1899).	Mr. F. W. Ward (1897). „ L. Birley (1898). „ T. S. Macpherson (1899). „ J. Byrne (1899). „ J. T. Whitty (1899).
1909.			
Mr. F. B. Bradley-Birt (1898). „ J. Byrne (1899). „ Manmatha K. Deb (1899). „ J. T. Whitty (1899). „ J. C. K. Peterson (1899). „ H. L. L. Allanson (1900). „ E. H. Berthoud (1900). „ H. R. T. S. Perrott (1900). „ M. C. McAlpin (1900). „ P. W. Murphy (1900).	Mr. J. Reid (1898). „ J. Byrne (1899). „ Manmatha K. Deb (1899). „ J. T. Whitty (1899). „ H. L. L. Allanson (1900). „ E. H. Berthoud (1900). „ H. R. T. S. Perrott (1900). „ M. C. McAlpin (1900). „ P. W. Murphy (1900).	Mr. J. Byrne (1899). „ H. L. L. Allanson (1900). „ E. H. Berthoud (1900). „ M. C. McAlpin (1900). „ P. W. Murphy (1900).	Mr. F. B. Bradley-Birt (1898). „ J. Byrne (1899). „ P. W. Murphy (1900).
1910.			
Mr. F. B. Bradley-Birt (1898). „ J. Byrne (1899). „ Manmatha K. Deb (1899). „ J. T. Whitty (1899). „ H. R. T. S. Perrott (1900). „ P. W. Murphy (1900). „ J. A. L. Swan (1901). „ W. D. R. Prentice (1901). „ C. H. Reid (1901). „ F. M. Luce (1901).	Mr. T. S. Macpherson (1899). „ J. Byrne (1899). „ Manmatha K. Deb (1899).	Mr. J. Byrne (1899). „ Manmatha K. Deb (1899).	Mr. J. Byrne (1899). „ Manmatha K. Deb (1899). „ H. L. L. Allanson (1900).
1911.			
Mr. J. Byrne (1899). „ H. C. Liddell (1901). „ J. D. Sifton (1902). „ J. A. Hubback (1902).			

(75) Please now see the statement marked AA and the list marked *Bengal* = *C*, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary?—Yes, the post of second Additional Judge, 24-Parganas, has not been included because, though practically permanent, its permanent retention has not yet been sanctioned by the Secretary of State.

(76) Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—No special difficulty has been experienced with regard to the superior posts; they are all such as are ordinarily held by officers of the Indian Civil Service, and they all carry a salary of more than Rs. 1,000 a month. In 1907, the Government of Bengal asked for an addition to the superior posts of a grade of Joint-Magistrates, but this was not sanctioned; the proposal was made solely on a consideration of the number of men required for inferior posts.

(77) Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. [Attention is invited, in this connexion, to list J in Appendix VII to these questions]?—The number of superior posts directly under the Government of India calculated to be held by officers whose names are in the Bengal cadre is eight. The Civil Lists show that, from 1907-1911, 12·3 Bengal officers were, on the average, continuously employed in superior posts under the Government of India. The distribution among the provinces of the recruitment for the Government of India superior posts, is professedly arbitrary, and in the case of Bengal the excess is not likely to be sufficient to cause any serious difficulty.

—	Sanctioned number of superior appointments under the Government of India.	ACTUAL NUMBER.																				Total of five years.	Average.
		1907.				1908.				1909.				1910.				1911.					
		1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	7	18	19	20	21	22	23	24
Superior posts held directly under the Government of India.	8	9	9	13	13	13	13	13	13	13	12	12	13	14†	14†	13†	14†	11†	11†	12*†	12*†	246	12·3

* Including Lieutenant-Governor of Eastern Bengal and Assam (Sir Charles Bayley).
† Including Census Commissioner (Mr. Gait).

(78) Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—Four is the number of superior posts allowed for temporary appointments and deputations. From the Civil List, it appears that on the average 3·45 officers were employed in such work during each quarter of the last five years. The allowance is therefore approximately correct.

—	Sanctioned number.	ACTUAL NUMBER.																				Total of five years.	Average.
		1907.				1908.				1909.				1910.				1911.					
		1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.	1st January.	1st April.	1st July.	1st October.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Superior posts allowed for temporary appointments and deputations.	4	4	2	...	...	5	4	2	2	6	4	3	3	6	6	4	4	4	5	3	2	69	3·45

(79) Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?—The arrangement by which officers recruited against temporary uperior posts

are shown in the lowest grade works satisfactorily, provided that such appointments and deputations are purely temporary; if the provision is made to cover appointments which are only technically temporary, the system would involve an inconvenient drain on the officers of over eight years' service.

(80) Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—The allowance of 39 per cent. was fixed solely on a consideration of the length of training necessary, and is the percentage on superior posts of junior officers who will on the average be on duty. In 1907, this Government represented that this percentage did not give enough junior Civilians in Bengal to man the subdivisions and posts of Joint at head-quarters which ought, in the interests of the administration, to be held by Civilians or, for special reasons, by European. This representation was based principally on the special needs of Bihar, which no longer forms part of this province. The Bengal Government proposed in order to avoid interfering with the principle on which recruitment is based, to create a grade of Joints on Rs. 1,200 which should rank as superior appointments. This proposal was refused, but in consideration of the needs of the province a temporary excess of eight was allowed in the grades of Joint-Magistrates, to be reduced as any new superior appointment was created. On the reorganization of the provinces on the 1st of April 1912, two of these excess Joints fell to the share of Bengal, but Government agreed to abolish the excess appointments entirely and return to normal conditions.

(81) Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—The fully passed Assistant Magistrates shown at present in the Civil Lists in Bengal have taken on an average eighteen months to pass their departmental examinations, and there can be no question that until these are passed the Assistants must be considered as under training. During the last five years, in Bengal, Civilians have been put in charge of subdivisions on the average eighteen months after they have come to the country; in Eastern Bengal the average has been seventeen months. If therefore they are reckoned as out of training and holding inferior posts as soon as they are put in charge of subdivisions, the period of training is rather less than two years. But it may justly be considered that the first six months in a subdivision is also part of their training. The inferior posts in Bengal are two Under-Secretaryships and 34 posts of Joint-Magistrates; during the last five years, in Bengal, the average service before *pucca* promotion to a Jointship has been eight years, eight months, and in Eastern Bengal six years ten months. In Bengal, an officer has not obtained permanent officiating promotion under about four years, but in Eastern Bengal the period has been two years and in the present province this will probably be the time in future. It may be taken, therefore, that Assistants are in training for two years, and the percentage of 5·5 need not be altered

(82) Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts and ·6 per cent. for training posts approximate to the actual conditions? If not, please state what alteration is desirable?—The figures have been worked out for 1911, an ordinary typical year. The number of superior posts was 90 and the sanctioned cadre was 175. The actual cadre, however, was 184. Taking the actual cadre of 184, if this had been properly distributed according to the theoretical cadre, the men on leave should have been over eight years-29·4, inferior posts-6·0, and training posts ·6: total 36·0. In fact, the men on leave throughout the year were over eight years-32·7, inferior posts-2·2 and training posts-·7: total 35·6. The total is correct, but the distribution is wrong. The Civil List, however, shows that only the men of 1900 officiated in superior posts in the cold weather; instead therefore of men of eight years' completed service officiating practically permanently, it was only those of ten completed years who were in that position. The ninth and tenth years, therefore, in this case should be counted as inferior posts. The numbers on leave then become superior posts-28·5, inferior posts-6·4 and training posts-·7: total 35·6. The numbers and distribution are therefore practically correct, and the percentages may be accepted as approximating to actual conditions.

(83) Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure with reasons in support of the same?—Taking the percentage of actual casualties in each of the last twenty years on the actual strength of the year, the average casualty rate works out at 3·92 on the total cadre of Bengal, Bihar and Assam. The decremental rate, as found by Sir David Barbour on 45 years' experience up to 1880, was 4·32; Mr. Barrow on the 50 years' experience up to 1904 found it to be 4·17. Mr. Barrow worked this out by years of service grouping together quinquennial periods, and his result is no doubt more accurate than the above, which has merely been worked out on the average decremental rate of each year unweighted by any system of grouping. There is no reason to doubt that 4·17 corresponds with actual facts.

(84) Does the theoretical strength of the service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB, which is included in Appendix VII to these questions?—As shown in the statement marked BB, the province is nine men short of its sanctioned strength. The sanctioned strength of the cadre of Bengal and Eastern Bengal was 337; the present total sanctioned strength of the combined cadres of Bengal, Bihar and Assam is 340; so the number has risen by three owing to the reorganization, and this accounts for part of the shortage. The remainder is accounted for by the increase since last year of the total number of superior appointments to be recruited for from 90 to 94; 194·5 per cent. on 4 appointments equals 7·7 men. Turning to the theoretical strength as distinguished from the sanctioned strength, the theoretically correct distribution of the sanctioned cadre for Bengal is compared with

the distribution of the actual cadre on the 1st of October 1912, in the following statement:—

Year of service.	Number of men in theoretical cadre.		Actual strength on 1st October 1912.	
	—	Progressive.		Progressive.
Above 35	·4	·4	1	1
35	1·0	1·4	0	1
34	1·2	2·6	2	3
33	1·4	4·0	1	4
32	1·8	5·8	1	5
31	2·0	7·8	0	5
30	2·4	10·2	0	5
29	2·7	12·9	3	8
28	3·3	16·2	1	9
27	3·8	20·0	1	10
26	4·5	24·5	5	15
25	4·9	29·4	1	16
24	5·1	34·5	3	19
23	5·2	39·7	6	25
22	5·3	45·0	5	30
21	5·5	50·5	4	34
20	5·5	56·0	9	43
19	5·7	61·7	5	48
18	5·8	67·5	6	54
17	6·0	73·5	3	57
16	6·1	79·6	11	68
15	6·1	85·7	8	76
14	6·2	91·9	11	87
13	6·3	98·2	3	90
12	6·5	104·7	6	96
11	6·5	111·2	5	101
10	6·7	117·9	6	107
9	6·8	124·7	5	112
8	6·9	131·6	6	118
7	7·0	138·6	6	124
6	7·1	145·7	5	129
5	7·2	152·9	8	137
4	7·3	160·2	8	145
3	7·5	167·7	6	151
2	7·6	175·3	10	161
1	7·7	183·0	11	172

The actual cadre is deficient all through, but the deficiencies are greater in the years above 17 years' service. The redistribution of the cadres after the 1st April last, has disturbed the theoretical strength considerably.

(85) Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—At the time of fixing the annual indent for recruitment, the actual strength of the service is examined, but it is not compared with the theoretical strength. The flow of promotion depends on the correspondence between the distribution of the actual cadre and the theoretically correct distribution of a cadre of the sanctioned strength. This is the point that is examined quinquennially. The examination in itself does nothing to regulate the flow of promotion; it can only show the inevitable results of the actual distribution, and any steps then taken to regulate recruitment cannot have any material results for many years. The quinquennial examination is useful, but the theoretical cadre should be compared each year with the actual cadre of each province, so that if any opportunity arises it may be taken to bring the actual cadre more into correspondence with the theoretical.

(86) State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—In preparing the indent of Indian Civilians to be recruited for Bengal in the open examination of 1913, the actual strength of provincial cadre in July 1912 is taken. The men recruited in open examination in 1913 will not arrive in India till the end of 1914; before that time, therefore, the actual cadre of July 1912 will be reduced by two years' decremental rate or 8·34 men; these are therefore deducted from the actual cadre. On the other hand, by that time two lots of new recruits will have arrived, one in December 1912 and the other in December 1913; these must therefore be added to the actual cadre. The net result will be the anticipated number in the service on 1st July 1914, and this number is compared with the sanctioned strength and the excess or deficiency ascertained. The number of recruits required in accordance with the authorized recruitment rate on the sanctioned cadre is calculated; if on the 1st July 1914 it is anticipated that there will be a deficiency, 30 per cent. of deficiency is added to the normal recruitment; if there will be an excess, 30 per cent. of the excess is deducted from the normal recruitment, and the result is sent in as the indent to be recruited for in 1913 and to arrive in December 1914. Only 30 per cent. of the excess or deficiency is taken in order to spread the recruitment more evenly over a term of years and prevent a block. This system gives as accurate results as possible as regards total numbers; to be strictly correct the basis should be a forecast of the number of superior posts 8—10 years in advance, but this is impossible, and the results attained by the present system, though they cannot entirely prevent blocks, are as satisfactory as it is possible to devise.

(87) Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The Government of Bengal and the Government of Eastern Bengal both reported on this subject when dealing with the recommendations of the Royal Commission on Decentralisation. The proposals then favoured by the Government of Bengal were—That in selecting officers for appointment to Commissionerships and other high offices seniority should only be regarded when other qualifications are practically equal; a trial in officiating appointments should only be given to those who are believed to possess the necessary qualifications; at the end of officiating terms amounting to 12 months in all, while no formal promise of confirmation need be given to an officer who had proved satisfactory, one who had failed should be reverted and not again employed. As regards Collectorships promotion to Collectorships should be by seniority, but the rejection of the unfit should be very stringent.

Collectorships.

Retirement.

That an officer judged permanently unfit for the charge of a district should be compulsorily retired, at whatever stage of his career his unfitness was finally decided. Before he was adjudged unfit there should be a preliminary enquiry by a Committee consisting of the Commissioner, another Collector and a Secretary to Government. If the Local Government decided he was unfit they could request the Secretary of State to retire him, but the decision should rest with the Secretary of State in the first instance and not merely on appeal. A scale of pensions should be fixed for officers compulsorily retired at the same rates as pensions on medical certificate. It is not necessary to compulsorily retire a Collector passed over even permanently for a Commissionership. The Government of Eastern Bengal's recommendations differed very slightly from these. Government is in favour of compulsorily retiring officers on these lines. If the Secretary of State will declare his intention of giving pensions in such cases on a fixed scale it will greatly facilitate the compulsory retirement of inefficient officers.

(88) To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?—Under present orders an officer's final choice as to the branch of the service to which he wishes to belong is made at the end of his 12th year of service, and his allocation to one branch or the other is then finally made. Up to that period he is liable to be employed in either branch, but in most cases his aptitude for one or other branch is known before that period, and influences the officiating charges he receives. The question of making this allocation at an earlier stage of service is under consideration in connection with the improvement of the training of Indian Civilian Judges.

(90) Please see the two statements contained in Appendix VIII to these questions, showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province?—The statements are correct with the following exceptions:—CC. The pay of the Chairman of the Improvement Trust has been fixed at a consolidated salary of Rs. 3,500. The pay of the Deputy Chairman of the Corporation of Calcutta is at present Rs. 1,500. DD. The heading of the last column should be "Grades of Rs. 400 and over" as Assistant Magistrates draw Rs. 400 till they pass their lower standard and thereafter Rs. 450 until they have completely passed their departmental examinations.

(91) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorized on the 1st April of each of the following years:—1860, 1870, 1880, 1890, 1900 and 1912?—Please see the statement below:—

NATURE OF POSTS.	APRIL 1ST, 1860.(a)		APRIL 1ST, 1870.		APRIL 1ST, 1880.		APRIL 1ST, 1890.		APRIL 1ST, 1900.		APRIL 1ST, 1912.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
				Rs.		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governor	...	...	1	8,333⅓	1	8,333⅓	1	8,333⅓	1	8,333⅓	...	...
Members of Council ...	...	...	...	...	...	...	...	...	...	...	2	5,333⅓
Judges of High Court	...	...	7	4,166⅔	6	4,166⅔	2 3	4,166⅔ 3,750	1 5	4,166⅔ 4,000	4	4,000
Members of Board of Revenue.	...	...	2	4,000	2	4,000	2	4,000	2	4,000	1	3,750
Secretaries to Government.	...	...	2	3,333⅓	2 1	3,333⅓ 2,500	1 2	3,333⅓ 2,916⅔	1 2	3,333⅓ 2,750	1 2	3,333⅓ 2,750
Junior Secretary to Government.	...	...	1	1,500	1	1,800	...	...	...	...	...	...
Commissioners ...	...	...	8	2,916⅔	8	2,916⅔	8	2,916⅔	9	2,916⅔	5	2,916⅔
Ditto (Non-Regulation).	...	...	3	2,500	1	2,500	1	2,500	...	...	...	...
Judicial Commissioner	...	...	2	2,500	1	2,500	1	2,500	1	2,500	...	...
District and Sessions Judges.	...	...	26	2,500	14 14	2,500 2,000	15 14	2,500 2,000	15 15	2,500 2,000	3 (f_1) 13 14	3,000 2,500 2,000
Additional Judges ...	...	...	1 4	2,500 2,166⅔	...	...	...	...	...	...	...	...
Judge of the Principal Court of Small Causes.	...	...	1	1,500	...	...	...	...	...	...	...	...
Secretary to Board of Revenue.	...	...	1	2,500	1	2,500	1	2,500	1	2,500	...	...
Junior Secretary to Board of Revenue.	...	...	1	2,333⅓	1	1,800	1	1,800	1	1,800	...	...
Registrar, High Court	...	...	1	1,700	1	1,700	1	1,700	1	1,700	1	1,700
Magistrates and Collectors.	...	...	23 14	1,916⅔ 1,500	15 15 6	2,250 1,800 1,500	15 (d_1) 16 7	2,250 1,800 1,500	16 (e_1) 17 14	2,250 1,800 1,500	12 (f_2) 13 14	2,250 1,800 1,500
Deputy Commissioners	...	...	4 6 6 3	1,833⅓ 1,666⅔ 1,333⅓ 1,000	2 3 3 1	1,833⅓ 1,666⅔ 1,333⅓ 1,000	2 3 3 ...	1,833⅓ 1,666⅔ 1,333⅓ ...	1	1,833⅓	... ...	... ...

(a) Information is not available.

(d_1) Director of Land Records graded with Collectors, but seconded. Collector of Customs graded with Collectors.

(e_1) Commissioner of Excise, Collector of Customs, and Director of Land Records graded with Collectors.

(f_1) Includes Superintendent and Remembrancer of Legal Affairs and three Judgeships of Assam.

(f_2) Includes Commissioner of Excise; Director of Land Records; Director of Agriculture; Registrar, Co-operative Credit Societies; two Secretaries to the Board of Revenue; three Settlement Officers; four Additional District Magistrates.

NATURE OF POSTS.	APRIL 1ST 1860. (a)		APRIL 1ST, 1870.		APRIL 1ST, 1880.		APRIL 1ST, 1890.		APRIL 1ST, 1900.		APRIL 1ST, 1912.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
				Rs.		Rs.		Rs.		Rs.		Rs.
Miscellaneous	...	...	1	3,000	1	2,500	1	2,500	1	2,500	1	2,500—3,000
			2	2,900	1	1,500—1,800	1	1,500	1 (e_2)	3,000	1	3,500
			1	2,500	1	3,000	1	3,716¾	1	2,500—3,000	1 (f_2)	3,500
			1 (b)	2,750	2 (c)	2,500—3,000	2 (d_2)	2,500—3,000	1	2,700	1	1,500
			1	1,200	1	2,500—3,000	1	2,500—3,000	...	...	1	1,500
			1	2,000	1	1,000	1	2,500—3,000	...	...	...	...
			1	1,350	1	3,000	...	...	...	...	...	...
			2	900	...	...	...	...	...	...	...	...
			1	1,500	...	...	...	...	...	...	...	...
Settlement Officers ...	...	...	...	...	...	...	...	...	4	...	...	...
Cantonment Magistrates, 1st grade.	...	...	2	1,127⅞	...	...	...	...	...	...	...	...
Cantonment Magistrates, 2nd grade.	...	...	1	1,000	...	...	...	...	...	...	...	...
Under-Secretary to Government.	...	...	1	1,000	3	1,000	3	1,000	3	1,000	3*	1,000
Joint-Magistrates, 1st grade.	...	...	23	900	22	900	23	900	23	900	17	900
Joint-Magistrates, 2nd grade.	...	...	11	700	10	700	12	700	13	700	17	700
Assistant Commissioners, 1st grade.	...	...	7	800	3	800	3	800	...	...	...	...
Assistant Commissioners, 2nd grade.	...	...	8	700	3	500	...	...	...	...	...	...
Assistant Commissioners, 3rd grade.	...	...	6	500	3	500	...	...	...	...	...	...
Assistant Magistrates	...	...	103	400—500	96†	400—500	76†	400—500	87	400—500	56	400—500
Totals ...	...	...	290	...	246	...	223	...	236‡	...	183	...

* Third Under-Secretaryship is a listed post, but held by an Indian Civil Service officer.

† Excluding the statutories.

‡ Excluding Additional Commissionership of Patna and Additional District and Sessions Judgeships, Jessore, Khulna and Bakarganj, which were temporary posts.

(a) Information is not available.

(b) Chairman of the Corporation of Calcutta; Opium Agents, Bihar and Benares; Superintendent and Remembrancer of Legal Affairs, Collector of Customs; Deputy Collector of Customs; Governor-General's Agent, Murshidabad; Registrar-General of Assurances; Registrars of Bihar and Presidency districts; Superintendent of Stamps and Stationery.

(c) Inspectors-General of Police and Registration; Chairman of the Corporation of Calcutta; Opium Agents, Benares and Bihar; Superintendent and Remembrancer of Legal Affairs; First Inspector of Registration Offices; Collector of Customs.

(d_2) Inspectors-General of Police and Registration; Chairman of the Corporation of Calcutta; Opium Agents, Benares and Bihar; Commissioner of Excise; Superintendent and Remembrancer of Legal Affairs.

(e_2) Inspector-General of Police; Chairman of the Corporation of Calcutta; Opium Agent, Bihar; Superintendent and Remembrancer of Legal Affairs.

(f_2) Inspector-General of Police; Chairman of the Corporation of Calcutta; Chairman of the Improvement Trust; Private Secretary; Deputy Chairman of the Corporation of Calcutta.

(92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Comparing the expenses and the amenities of the other two Presidencies, this Government does not consider that the pay of the higher appointments in Bengal should be any less than in Madras and Bombay. But it is with regard to the junior appointments that the question is most pressing. These officers now begin their service about the age of 25 and after their first few years draw on an average about £ 650 a year until they obtain practically permanent appointments as Collectors, for the extra expenses of short officiating vacancies more than compensate for the extra officiating pay. The pay drawn by the junior officers is, in the opinion of Government, inadequate to their age and station in life, and disproportionate to their responsibilities in comparison with other services. Their pay should commence at Rs. 500 and rise by a time-scale to Rs. 1,000 subject to the present rules regarding the passing of the departmental examinations.

(94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?—This has already been answered under question 92.

(95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation was introduced to remedy the special hardship caused by

the extreme depreciation in value of the rupee and the loss to officers owing to its fluctuations. The rupee is now stable, but at a value very considerably below its previous one. The special form of assistance with its special name is now inappropriate and the basis for the distinction of nationality and domicile is not so self-evident. The allowance therefore is liable to misconstruction, and it would be convenient to get rid of it. Although it was professedly temporary, it was an admission that some remedy was necessary for a grievance which still exists, and all those who have entered the service since the grant have some grounds for expecting its continuance in some form. It would not be equitable or possible without very great dissatisfaction simply to abolish it, but there would be considerable sentimental advantages in converting it into an increase in salaries.

(96) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—The distinction in the matter of exchange compensation allowance was based on the fact that officers of European domicile as a whole had to transmit money to England and lost very heavily on the exchanges. This did not apply to officers with an Indian domicile. But these officers have been heavily affected by the fall in the purchasing value of the rupee as opposed to its foreign exchange value, and in this respect are on a par with the officers of a European domicile. The palliative of an increase in salaries to the extent of the exchange compensation allowance would go but a small way towards compensation for the fall in the purchasing power of the rupee, and officers of the Indian Civil Service of an Indian domicile are equally entitled to any rise in salary on this account.

(97) How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The rules regulating the calculation of acting allowances are contained in article 105 of the Civil Service Regulations. There has been no general complaint of the working of the system.

(98) How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?—The Appointment Department works out the officiating grade promotions from the Civil List and charge reports, and the proposals are eventually checked from the scale lists maintained by the Accountant-General. Orders are issued to the Accountant-General, the promotions are gazetted and the copies of the orders are sent to the officers concerned. The system involves a considerable amount of work in the Appointment Department, and as the scale registers of the Accountant-General are only written up from time to time, there is an unavoidable delay in checking the promotions and reversions. The delay is immaterial in the case of promotions, but it does sometimes cause hardship in the case of reversions. The system of officiating grade promotion, however, has a historical basis and is prized as a valuable right by the service. It possesses some of the advantages of a rough time-scale, and in spite of the occasional inconveniences it could not be abolished without some form of compensation which it would be difficult to devise.

(99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—This Government is not in favour of a time-scale except as already stated in the lower grades of the service.

(102) If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of the service is different?—Initial pay should be Rs. 500, raised to Rs. 550 and Rs. 600 on passing the Lower and Higher standards at the departmental examinations: Thereafter it should advance by annual increments of Rs. 100 to a maximum of Rs. 1,000. Officiating allowances should be calculated on the time-scale pay. As the time-scale is to be confined to the junior grades, the other questions do not arise.

(103) If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—As the time-scale is to be confined to the junior grades this question does not arise.

(104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—The arrangement is suitable.

(106) Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—The statement below has been compiled from the Civil Lists, and shows for each year the number of men who were on leave during some portion of the year and the number who actually proceeded on leave during the year, together with the average amount of leave the latter were granted. The rules allowing combined leave came into force in 1902, and there is a considerable rise in that year in the number of men who took privilege leave, because this number includes those who combined their privilege leave with furlough. The figures for furlough show that the number of men who go on leave is fairly constant, but there has been a considerable drop in the average amount of furlough taken since 1902. The reason is that an officer now leaves India for the same period as before, but a portion of this leave is privilege leave, whereas before it was all furlough. The average amount of privilege leave taken is much the same as before; but formerly it was taken by itself, and did not much affect the amount of

furlough taken; *it is* now taken in combination with and reduction of furlough:—

NATURE OF LEAVE.	1892.					1896 (*a*).					1903.					1907.					1911.				
	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 5.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 10.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 15.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 20.	Actual strength.	Number of officers on leave.	Percentage.	Number of officers actually proceeding on leave during the year.	Average amount of leave granted to each officer in column 25.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
					Mos. D.					Mos. D.					Mos. D.					Mos. D.					Mos. D.
Furlough	239	24	10·04	18	10 26	244	35	14·34	18	11 29	270	39	14·44	16	7 11	170	33	19·4	17	7 3	181	47	25·9	23	7 23
Furlough on medical certificate.		6	2·51	2	10 0		2	·82	...	...		2	·74	2	5 10		3	1·76	...	......		1	...	...	......
Special leave ...		2	·83	2	5 12		6	2·45	5	5 12		9	3·33	8	3 17		6	3·53	6	3 7		1	...	1	5 12
Privilege leave ...		49	20·5	43	2 6		32	13·11	28	2 13		61	22·6	53	2 9		40	23·5	35	2 4		55	30·3	43	2 2

(*a*) The quinquennial year should be 1897, but as this was a famine year the year 1896 has been considered.

(107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned, in your opinion, suitable? If not, what alternative arrangement do you suggest?—Leave on full pay is earned at the rate of one month after every eleven months of continuous active service, and can be accumulated up to a maximum of three months. It can now be combined with furlough, and is comparatively rarely taken by itself except in extension of vacation or the *Pujah* holidays. Whenever an officer goes on furlough he prefixes the full amount of leave on full pay that stands to his credit, and it is only in the cases where an officer is unable to take his furlough when it is due, and is also unable to utilize a portion of his privilege leave in a holiday in India, that the full amount of leave on full pay is not taken. The basis of privilege leave was the necessity for an occasional rest from work in the intervals of furlough, and sufficient was allowed to be accumulated to enable an officer to rush to Europe and back. From this point of view one month in the year is sufficient concession, and it is undesirable to encourage officers to remain on duty for more than three years at a stretch, so the limit of accumulation also should not be raised. The question of leave on full pay other than privilege leave concerns furlough.

(108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest? The amount of furlough earned by a member of the Indian Civil Service is one-fourth of his active service with a maximum limit of six years. The cases of all officers who have retired from the service since 1892 have been examined, and the average amount of furlough taken by them at the date of their retirement is three years and seven and-a-half months. Of the 113 cases so examined only 36 have taken more than four years and less than five years; 9 took between five and six years, and only 1 the full six years. These figures also include special leave taken, if any. There is a marked tendency for the amount taken to decrease in the case of the officers who retired in the later years examined, and the operation of the system of combined leave would materially tend to decrease the amount of furlough taken. This Government would favour a general simplification of the leave rules with the removal of all restrictions with the proviso that no officer shall be allowed long leave of any kind except on medical certificate till his sixth year. The furlough allowances are too low and should certainly be increased, while the amount of furlough permissible might be reduced. With increased furlough allowances the necessity for combined leave will not be so great, and the practice of taking privilege leave as an annual holiday might be encouraged.

(110) Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6*d*. the rupee? If so, what change?—As the furlough allowances are already too low, they should certainly not be further reduced.

(111) Do you consider that the maximum and minimum limits of leave allowances at present

fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?—The maximum limit is too low and should be raised.

(113) Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and, if so, what, and what remedy do you suggest?—The hard-and-fast rules regarding the intervals between leaves often cause very considerable inconvenience to the Administration, and are a cause of unnecessary transfers; but it is useless to discuss the details, as the Government of India have recently proposed a simplification of the rules which will obviate this inconvenience.

(115) Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?—The rigid restrictions as to the intervals at which leave may be taken and the regulations regarding the combination of leave and the limits of such combined leave do often press hardly upon officers; but the proposals of the Government of India alluded to above will remove these grievances.

(116) Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—There is only one Statutory Civilian left in this province; the leave rules of officers holding listed posts are the same as those of the rest of the Provincial Service. These gentlemen are Indians and are recruited in India; it seems clear that the same rules cannot with equal appropriateness be applied to them and to a service consisting mainly of Europeans recruited in Europe and retaining their European domicile.

(118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—This Government is of opinion that there can be no question of reducing the minimum amount of the annuity guaranteed to all the members of the Indian Civil Service. An enquiry should be made as regards the actual effect of the contributions of 4 per cent. of their pay by members of the service. If it is found that in fact the actual cost to Government of civilian's pensions on the whole is less than £600 the pension so given is less than may be earned in other services of lower status than the Civil Service and the question should be considered whether the contribution should not be reduced. The Civil Service ought not to receive from Government a lower pension than any other service. If members of the service serving as Judges in the High Court are permitted to earn a pension higher than the ordinary annuity, there seems to be no reason why members of the service holding high appointments in other branches should not also be allowed an extra pension.

(124) Do you recommend the introduction of a system of reduced pension for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Entrance to the Civil Service is secured by means of a system of examination which is designed to select the best man available. An officer who has passed this test has a right to expect that he has secured a career for life; if thereafter he is found to be inefficient not through any misconduct or fault of his own it is the entrance test that has failed, and it is inequitable that an officer should be cast adrift in consequence. It has already been stated that it is undesirable to retain such an officer in the service, but it is impossible to remove him without a suitable pension, and it is the lack of any provision for an automatic scale of pensions in such circumstances that has prevented the Secretary of State being asked to exercise his powers of retirement in the comparatively few cases of inefficiency that have occurred. Some suitable scale of pensions should be prescribed by the Secretary of State.

(125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Subject to the answers already given on the question of the retirement of an officer passed over for promotion to a district charge, the rules regulating voluntary and compulsory retirement are suitable. The pension rules have already been discussed; the rules for pension on medical certificate were made more liberal a few years ago, but the scale still operates very harshly in the case of senior officers who are compelled to retire on medical certificate before they have completed their 21 years' active service, though they have completed a total service of 25 years. In that case the pension is limited to £ 700; the terms might be made more liberal for officers who have completed over 21 years' service so as to bring the maximum attainable nearer to the full pension.

(127) Do you approve of the present system regulating the pensions of Statutory civilians? If not, what do you suggest?—The present system seems suitable for Statutory officers; there is only one left in this province.

(128) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If, not, what do you suggest?—Officers of the Provincial Civil Service holding listed posts should be eligible for the extra pension of Rs. 1,000 a year under the provisions of article 475 of the Civil Service Regulations. In other respects the pension rules are suitable.

(129) Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The regulations and the methods of working them are satisfactory.

(130) In particular, do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—Natives of India should be admitted to the benefit of the Family

Pension Fund if this can be done without increasing the cost of the fund or diminishing its benefits to European members.

(134) Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory civilians, (*b*) to members of the Provincial Civil Services holding listed posts, for providing for their families against their decease?—These officers are entitled to subscribe to the General Provident Fund. In their case it does not appear necessary to make the contributions compulsory or to give them any further facilities for saving. The conditions of Indian family life remove the chief object of compulsion, and the offer of better terms than can be obtained elsewhere for voluntary savings does not seem to be required.

APPENDIX II.

Written answers received from the Bengal Government to questions relating to the Provincial Civil Service.*

(1) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable or have you any recommendations to make for their alteration?—The conditions are suitable.

(2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Copies of the rules are annexed. In the Executive Branch they are based on the following conditions: an indispensable preliminary educational qualification; nomination through the Syndicate of the University of the most distinguished graduates; the recognition of the claims of all parts of the province and of all main classes of the community; the retention, by Government, of sufficient direct nominations to remedy inequalities in the working of the other methods of recruitment and to meet special cases; and promotion from the subordinate service. The actual proportions to be recruited by each method are liable to alteration from time to time, but the rules themselves are considered suitable. In the Judicial Branch the rules are not altogether suitable, as the late age for entering the service makes it impossible in many cases to complete service for full pension without an extension, and promotion to the grade of Sub-Judge comes at so late a period in life that there is little chance of an officer showing himself fit for promotion in time to have the prospect of eventually securing an appointment on the High Court Bench. It is proposed to dispense with the three years' practice at the Bar, which seems of little or no real use, and to make the latest age for enrolment 24 and for appointment 26. Thereafter, the candidate, when not acting as Munsif, would be attached to the Court of a District Judge for training. It is also proposed to widen the definition of character by omitting the word "moral" in the rules and to provide for due consideration being paid in making appointments to the claims of all the various sections of the community.

No. 40711A.D., dated the 20th August 1913.

NOTIFICATION.—By the Government of Bengal, Appointment Department.

The rules for admission into the Executive Branch, Provincial Civil Service, and into the Subordinate Civil Service in Bengal and Eastern Bengal and Assam were last revised in 1909, and were published under notifications dated the 10th June 1909. It was stated in the preamble to the notification of the Government of Bengal that the arrangements then made were sanctioned temporarily with the object of increasing the opportunities for providing qualified probationers in both services with appointments in the regular grades, and of accelerating the promotion of qualified officers from the lower to the higher service. The latter object has, to a great extent, been attained; but as regards the former the result has not been all that could be desired. The difficulty of providing qualified probationers with appointments within a suitable limit of time was also apprehended by the Government of Eastern Bengal and Assam, and its annual recruitment was on this account reduced on the last occasion. The position is not altered materially by the territorial changes and the consequent redistribution of officers, as it is found that in both services in Bengal some of the probationers appointed in 1910 are still waiting for appointments. Accordingly the question of revising the rate of recruitment of both services has been under the consideration of Government for some time, but for various reasons it has not been possible yet to come to a final conclusion as to the normal rate of decrement for which provision should be made. Meanwhile, as the time for the annual recruitment is drawing nigh, the Governor in Council has decided to make twelve appointments of Probationary Deputy Collectors and ten appointments of Probationary Sub-Deputy Collectors during the current year, in view of the circumstances just referred to, and of the fact that the strength of the Provincial Civil Service in Bengal has been reduced, in consequence of the reconstitution of the province from 354 to 299, and that of the Subordinate Civil Service from 182 to 175.

2. In revising the rules, those which were in force in Eastern Bengal and Assam have been fully considered. The rules regulating confirmation and promotion are still under consideration. The following provisional revised rules for the recruitment of the Provincial and the Subordinate Civil Services are now published for general information:—

PROVISIONAL REVISED RULES FOR THE RECRUITMENT OF THE EXECUTIVE BRANCH OF THE PROVINCIAL CIVIL SERVICE.

Definition.—The Executive branch of the Provincial Civil Service includes Deputy Collectors and Deputy Magistrates.

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* The views of the Bengal Government should be read subject to a minute of dissent recorded by the Hon'ble Nawab Syed Shams-ul Huda, member of the Executive Council of His Excellency the Governor of Bengal, which has been reproduced as Appendix III.

Rule 1.—The Governor in Council will determine, from time to time, what proportion of appointments to the Executive branch of the Provincial Civil Service shall be made (1) by promotion of selected officers who are already in the Government service and (2) by selection.

Rule 2.—It is estimated that twelve appointments in all will be made annually. They will be made in accordance with the following rules.

Rule 3.—Three of these appointments will be made by the promotion of officers who are already in the Subordinate Civil Service. By the 1st October each year, the Financial Secretary should forward to the Appointment Department one nomination, the Revenue Secretary two nominations, and the Board of Revenue two nominations. The nominations of the two former should be made after consulting the heads of subordinate departments and those of the Board of Revenue, after consultation with Commissioners of Divisions.

The age of an officer nominated under this rule should not exceed 40 years

Rule 4.—The Governor in Council will retain three appointments in his own hands. Applicants for appointments under this rule should always state in their applications whether they will accept an appointment in the Subordinate Civil Service, in case it is not possible to provide them with an appointment in the Provincial Civil Service.

Rule 5.—Six nominations shall be made on the 1st of October by the following officers:—

By the Commissioners of the Presidency, Burdwan and Dacca Divisions every year, and the Commissioners of Rajshahi and Chittagong in alternate years, beginning with Rajshahi ...	4
By the Syndicate of the Calcutta University	2
Total ...	6

Rule 6.—The Government of India or the Local Government may, in very special cases, make direct appointments to offices in the higher grades of the Provincial Civil Service.

Rule 7.—The four appointments to be made on the nomination of Commissioners will be filled in accordance with the conditions laid down in rules 8, 9, 10 and 11.

Rule 8 (a).—The indispensable qualifications for a candidate for appointment by recruitment are (1) that he is a natural-born subject of His Majesty or of a Native State; (2) that he is not under 20 or over 25 years of age; (3) that he is of good character; (4) that he is a graduate; and (5) that he is of sound health, good physique and active habits, and free from organic defect or bodily infirmity.

Rule 8 (b).—In the case of candidates who are not Natives of the Presidency, recent residence of at least three years in it should, as a general rule, be an essential condition of selection. No Barrister, Advocate or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the vernacular of the Presidency.

Rule 9.—Europeans who do not satisfy the definition of Native of India, contained in section 6, Statute 33 Victoria, Chapter 3, are not eligible for appointment to the Provincial Service without the previous sanction in each case of the Government of India. With such sanction they may be appointed, if they satisfy the conditions laid down in rule 8 (a) and (b).

Rule 10.—All candidates for appointment by recruitment must furnish satisfactory evidence that they possess a thorough knowledge of Bengali. Candidates who have not already passed some recognized examination in the subject will be required to pass a special examination before admission. The object of the examination will be to test the candidate's general knowledge of the language, and his ability to write and read the written character with facility.

Rule 11 (a).—Every district officer* will submit to the Commissioner, who is to nominate under rule 5, on or before a date to be fixed by the latter, the names of two or three candidates (as the Commissioner may direct), belonging to families resident or domiciled in his district, for the Provincial Civil Service. In submitting these names he will give, in Form I appended to these rules, a brief statement of the grounds of his recommendation in each case. The nominees under this rule must be non-official, but this does not exclude the nomination of Honorary Magistrates.

(b) Form I must be accompanied by a certificate of the Registrar of the University that the candidate has obtained a degree, a certificate of character and conduct from the Principal of the institution at which the candidate last studied for not less than one year, or from some responsible officer of Government, a medical certificate in Form II appended to these rules, and evidence of the candidate's age.

(c) The Commissioner and the district officers of the division will meet on a date to be fixed by the Commissioner, and will consider the claims of all the candidates nominated. They will also call the candidates before them, and see and converse with them, so as to form an opinion regarding their suitability for the public service. The Commissioner will then select two names and submit them in order of preference to Government, stating his reasons for giving preference to the one first entered. With his report submitting these names, the Commissioner will submit Form I for all candidates, entering in each case, in the last column of that form, his own opinion as to the suitability of the candidate.

(d) Every candidate nominated by a Commissioner must be domiciled in his division, or, if the nominee himself be resident outside the division for the purpose of education, his family must be resident or permanently domiciled in the division. In making nominations special attention should be paid to the desirability of securing a fair share of appointments to each important section of the community, to social qualifications and family status and influence, to services rendered by the candidate's father, and to distinctions obtained in the University.

Rule 12.—The Syndicate of the University will be invited annually to nominate four graduates of high character and of great academical distinction. The nominations will be made, subject to the restriction* laid down in

* " V.—Admission to the Provincial Civil Service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not Natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. * *"

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* In the Presidency Division this term includes the Chairman of the Calcutta Corporation.

condition V under paragraph 3 of the Resolution of the Government of India, Nos. 1046—1058, dated the 19th August 1910, in accordance with the conditions laid down in rules 8, 9 and 10. From amongst these or from amongst graduates previously nominated by the Syndicate, and who have not passed the age of 25 years, the Governor in Council will, after inquiry, select two persons to be Probationary Deputy Magistrates.

Rule 13.—Every Probationary Deputy Collector, appointed by recruitment, must furnish, either before appointment or within a specified time after appointment, a certificate of his ability to ride, signed by a District Officer or by the Joint-Magistrate in charge, or by the Commissioner or Deputy Commissioner of Police Calcutta.

Rule 14.—The minimum term of probation will be one year. On termination of that period, appointments will be given to approved probationers as vacancies in the cadre occur. Provided that, in special cases, the Local Government may declare the period of probation or training prescribed for persons appointed to the Provincial Civil Service by direct recruitment to be unnecessary. Probationers will receive a subsistence allowance of Rs. 100 per mensem. Probationers already drawing more than Rs. 100 per mensem in Government service will, however, receive an allowance equal to the salary of their former appointment or to the pay of a Deputy Collector of the lowest grade, whichever is less.

FORM I.

Column 1.—Name of candidate and address in full.

Column 2.—Father's name, profession or occupation, and address in full.

Column 3.—Religion and caste or race.

Column 4.—Date of birth (day and month to be given).

Column 5.—Educational qualifications, and places of education during the preceding four years with dates.

Column 6.—Other information regarding the candidate (physique, moral character, present occupation, etc.)

Column 7.—A memorandum of the status and services of the members of the family.

Column 8.—Special claims for consideration.

Column 9.—Remarks indicating degree of District Officer's personal knowledge of candidate and sources of information about him, with Commissioner's opinion as to the suitability of the candidate.

FORM II.

(Bengal Civil Medical Department Form No. 38.)

[*Medical certificate under Bengal Government Resolution No. 3399 Medl., dated the 30th June 1897.*]

SPECIAL CERTIFICATE OF PHYSICAL FITNESS FOR GOVERNMENT SERVICE.

I, ,* do hereby certify that I have examined , a candidate for employment in .

His age is by his own statement years, and by appearance years.

- (*a*) General conformation.
- (*b*) Vision.
- (*c*) Hearing.
- (*d*) Lungs.
- (*e*) Heart.
- (*f*) Liver.
- (*g*) Spleen.
- (*h*) Hernia, present or absent.†
- (*i*) Hydrocele, present or absent.†
- (*k*) Glycosuria, present or absent.†
- (*l*) Albuminuria, present or absent.†
- (*m*) Distinguishing marks.

I consider that he is of sound health and good physique, and capable of bearing fatigue and exposure, and that he is fit to enter the service of Government.†

I consider him unfit to enter the service of Government for the reason given at.†

PLACE }
Date } *Civil Surgeon.*

Provisional revised rules for the recruitment of the Subordinate Civil Service.

Definition.—The Subordinate Civil Service includes Sub-Deputy Collectorships and any other appointments which the Governor in Council may from time to time specifically declare to be included therein.

Rule 1.—It is estimated that ten appointments of Probationary Sub-Deputy Collectors will be made annually.

Rule 2.—Five of these appointments, one for each division, will be made upon the nominations of Commissioners of Divisions. With the exception that there will be one appointment for each division, the appointments will be made in the manner prescribed in rules 8, 10 and 11 of the rules for admission into the Executive branch of the Provincial Civil Service.

Rule. 3.—The Governor in Council will retain three appointments in his own hands.

Rule 4.—Two appointments will be made on the nomination of the Financial and the Revenue Departments and the Board of Revenue from among officers serving in departments under them. The Financial Department will forward one nomination, and the Revenue Department and Board of Revenue to each. A nominee under this rule must not ordinarily exceed 40 years of age.

Rule 5.—Rules 13 and 14 of the rules for admission into the Executive branch of the Provincial Civil Service apply *mutatis mutandis* to the Subordinate Civil Service also. The usual subsistence allowance of Probationary Sub-Deputy Collectors will, however, be Rs. 50 per mensem.

No. 1784A., dated the 10th March 1894.

NOTIFICATION.—By the Government of Bengal, Appointment Department.

Rules for admission into the Judicial Branch of the Provincial Civil Service.

Definition.—"The Judicial Branch of the Provincial Civil Service" includes Small Cause Court Judgeships outside the Presidency town, Sub-Judgeships, Munsifships, and any other appointments which the Lieutenant-Governor may from time to time specially declare to be included therein.

IN accordance with Section 7 of Act XII of 1887, nominations of Munsifships will be made by the High Court under the following rules which have been framed by the Lieutenant Governor in consultation with the High Court and sanctioned by the Governor-General in Council.

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*Designation of medical officer.

† Strike out "present" or "absent" in (*h*), (*i*), (*k*), (*l*) and whichever of the concluding sentences does not apply.

2. A candidate shall present an application in writing to the Registrar of the High Court, Appellate Side. This shall ordinarily be accompanied by the following certificates, :—

(1) that the candidate's age does not exceed 27 years;

(2) that he has obtained the degree of B. L., or has passed the Senior Pleadership or some analogous examinations or is a Barrister-at-Law, or Member of the Faculty of Advocates in Scotland, or is an Attorney on the rolls of the High Court;

(3) that he is of good moral character and has received a liberal education;

(4) that he has practised as a Pleader or Barrister or Member of the Faculty of Advocates in Scotland, or Attorney for not less than three years, except in the case of Vakils of the High Court for whom the period of qualifying practice will be two years. The High Court may, for special reasons, dispense with a portion (not exceeding two years) of the said period of three years (*vide* Notification No. 1440A.—D., dated the 14th June 1907);

(5) that he is in good health and is physically fit for service. The certificate of health must be signed by a Presidency Surgeon or Civil Surgeon.

3. It shall be within the discretion of the High Court to require any such additional proof on any of the above points as it may think fit.

4. If the qualifications of the candidate are satisfactory to the Court, his name shall be entered in a register as *eligible* for admission to the Subordinate Judicial Service, but priority of entry in the register shall confer no right of priority of appointment. A candidate's name shall be removed from the register in the event of failing to obtain a gazetted appointment, under Section 7 of Act XII of 1887, before attaining the age of 29 years.

5. At the time a registered candidate is appointed permanently to the service, he shall ordinarily be required to submit a fresh health certificate signed by a Presidency Surgeon or a Civil Surgeon.

APPENDIX.

The following rules, which the Government of India and the Secretary of State have determined shall be applied in all branches of the Provincial Civil Service, are published for the information of candidates for admission to the Judicial Branch:—

1. Europeans who do not satisfy the definition of Native of India contained in Section 6, Statute 33 Victoria, Chapter 3, are not eligible for appointment to the Provincial Service without the previous sanction in each case of the Government of India. With such sanction they may be appointed, if they are qualified under the conditions mentioned in rule 2 of the above mentioned rules.

2. The subjects of Native Princes in alliance with Her Majesty the Queen-Empress of India are eligible for appointment to the Provincial Service, if they are qualified under the conditions mentioned in rule 2 of the above rules.

3. All candidates for admission to the Judicial Branch must furnish satisfactory evidence of a thorough knowledge of at least one of the vernacular languages of the province. The High Court will require all candidates who have not already furnished such evidence at some recognized examination, to pass a special examination in either Bengali, Hindi, Urdu, or Uriya before appointment. The object of the examination will be to test the candidate's knowledge of the language and ability to write and read the written character with facility. The examination will include:—

(1) translation into English of proceedings, petitions, reports, etc., written in manuscript; and

(2) Translation from English into the vernacular selected.

4. Every person appointed to the Judicial Branch shall be subject to a period of probation or training during which time his appointment will be probationary only, unless in special cases the High Court declares such probation or training to be unnecessary.

5. Promotion to grades below that on Rs. 600 a month will ordinarily be given according to seniority subject to fitness and approved conduct. But the Lieutenant-Governor reserves to himself the right to make promotion to the senior grades of the Provincial Service by special selection for merit without regard to seniority, and hereby declares that seniority alone shall not give a claim to appointment to the grade on Rs. 600 or higher grades.

6. No member of the Judicial Branch shall be dismissed otherwise than on the result of a judicial or formal departmental enquiry.

(3) Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required? The statement is correct.

(4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province, under each system since its formation?—*Executive Branch.*—In 1868, a combined system of nomination and competition was introduced. The Lieutenant-Governor nominated three candidates for every vacancy, and the final selection was made by competitive examination. So many candidates were selected in the first year that it took three years to absorb them. In 1871, a Native Civil Service examination was started; this was not competitive, but all who were declared to have passed received a certificate that they were fitted for appointment. The standard was raised in 1875, but even after that there were 80 passed candidates qualified for the higher grade and 120 for the lower grade, for whom there was no prospect of providing appointments, and many more had accepted lower appointments in the hope of promotion. It was then decided that, subject to a minimum of passing marks, a certain number of the vacancies each year should

be allotted by competition. During Sir Ashley Eden's time, pure nomination was reverted to. Sir Rivers Thompson again introduced some measure of competition, allowing the qualified candidates and those on the registers for appointments to compete. After due consideration of the claims of candidates who had been encouraged to hope for appointments, the system was finally adopted in the rules of 1893. These provided for recruitment (1) by direct competition, (2) by selection from among candidates after examination, and (3) by promotion from among selected officers who were already in the Subordinate Civil Service. The normal working of this system was that a certain number of the vacancies were reserved for promotion from the Subordinate Service. The two or three candidates who stood first in the competitive examination received appointments, and the rest of the appointments were given to candidates who had obtained at least one-third of the total marks. The Lieutenant-Governor reserved the power to make direct appointments apart from the result of the competitive examinations. In 1905 the present system was introduced and competition was abolished. Normally, 25 per cent. of the vacancies are reserved for promotion from the Subordinate Service, but the numbers have been considerably increased in the last three years. A number corresponding to the number of Commissionerships is reserved for local nomination; the Collectors nominate in the first instance and a preliminary selection is made by the Commissioner in conference with the Collectors; the final selection is then made from the Commissioners' nominees by Government. In order to attract the best University men the syndicate is asked to nominate a fixed number of candidates from whom a selection is made by Government. The remainder of the appointments are made by the head of the province direct. A statement is appended showing the total number of appointments in each year since 1884, and in the column of remarks is shown the number in each year who were appointed by competition alone. *Judicial Branch.*—There has been no alteration in the system of recruitment for the last 50 years.

OPEN COMPETITION AND NOMINATION.

YEAR.	HINDU.			Muhammadan.	Hillman.	Indian Christian.	Eurasian.	European.	Total.	REMARKS.
	Bengali.	Bihari.	Uriya.							
1884 ...	4	...	...	...	...	...	...	...	4	Competitive— Hindu (Bengali) ... 4
1885 ...	11	...	...	...	...	...	...	...	11	Ditto ... 11
1886 ...	10	...	...	...	...	...	...	...	10	Ditto ... 10
1887 ...	7	...	...	...	...	...	...	...	7	Ditto ... 7
1888 ...	6	...	...	...	...	...	...	...	6	Ditto ... 6
1889 ...	...	...	...	...	...	...	...	...	...	No examination was held this year.
1890 ...	9	...	...	2	...	...	...	...	11	Hindu (Bengali) ... 9 Muhammadan ... 2 } 11
1891 ...	18	...	...	4	...	...	2	...	24	Hindu (Bengali) ... 18 Muhammadan ... 4 Eurasian ... 2 } 24
1892 ...	18	...	...	3	...	...	1	...	22	Hindu (Bengali) ... 10
1893 ...	10	1	1	1	...	1	2	...	16	Ditto ... 4
1894 ...	6	2	...	2	...	...	1	...	11	Ditto ... 4
1895 ...	3	1	...	1	...	...	2	...	7	Hindu { (Bengali) ... 3 (Bihari) ... 1 } 4
1896 ...	4	1	...	1	...	...	1	...	7	Hindu (Bengali) ... 4
1897 ...	4	...	...	2	...	...	1	...	7	Ditto ... 4
1898 ...	2	...	...	1	...	...	...	...	3	Ditto ... 2
1899 ...	2	...	...	1	...	...	...	...	3	Ditto ... 2
1900 ...	7	...	3	...	...	1	2	...	13	Ditto ... 1
1901 ...	13	1	1	4	...	...	2	...	21	Ditto .. 3
1902 ...	9	1	...	2	...	...	2	...	14	Ditto ... 5
1903 ...	12	...	2	5	...	3	4	...	26	Ditto ... 3
1904 ...	22	4	3	9	...	1	5	...	44	Ditto ... 4
Total ...	177	11	10	38	...	6	25	...	267	

Nomination—(Bengal).

Year.	Hindu.			Muhammadan.	Hill-man.	Indian Christian.	Eurasian.	European.	Total.
	Bengali.	Bihari.	Uriya.						
1905	13	1	1	3	1	1	5	...	25
1906	35	8	5	16	...	3	12	...	79
1907	9	4	1	5	...	2	3	...	24
1908	11	2	2	4	...	...	2	...	21
1909	11	2	1	6	...	1	1	...	22
1910	9	2	...	6	...	...	2	...	19
1911	9	2	...	3	1	...	3	...	18
1912	8	...	...	4	...	...	...	...	12
Total ...	105	21	10	47	2	7	28	...	220

Nomination—(Eastern Bengal and Assam).

Year.	Hindu.		Muhammadan.	Hill-man.	Indian Christian.	Eurasian.	European.	Total.
	Bengali.	Assamese.						
1905	2	...	1	...	...	...	...	3
1906	5	2	5	...	...	2	...	14
1907	7	...	9	...	...	6	...	22
1908	8	1	8	...	...	2	...	19
1909	4	...	4	...	1	1	...	10
1910	10	2	5	...	...	6	...	23
1911	9	3	6	...	...	2	...	20
1912	2	1	1	1	...	...	...	5
Total ...	47	9	39	1	1	19	...	116
Grand Total ...	...	...	...	...	...	...	...	336

(5) Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year?—The statement appended to the last question gives all the information that is available as regards the Executive branch; it is in many cases difficult to distinguish between Europeans and Eurasians, but the number, who are not Natives of India, is so small as to be neligible. The Judicial branch consists entirely of Natives of India.

(6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment, do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—This Government is opposed to recruitment by open competition, because it is impossible under such a system to provide adequately for the claims of all classes and communities. The present system in the Executive branch ensures the representation not only of classes but of all districts of the province, and Government considers that it has worked well and has given an excellent class of candidates. In the Judicial branch recruitment is entirely by nomination and no proposals have been made to alter this system.

(7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Only residents of the province should ordinarily be recruited, but there is no necessity for any hard-and-fast rule. Practically only such residents are recruited in Bengal.

(8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is certainly desirable that all classes and communities should be represented, but a question may arise as to what is the meaning of "duly." Numbers, influence, education and race characteristics have all to be taken into consideration and also the number of qualified candidates available. The only method by which this representation can be secured is by some system which includes pure nomination.

(9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—All members of the Provincial Service, Executive Branch, on appointment are on probation for not less than one year. During this time they are trained so as to get as much experience as possible in Magisterial and Revenue Courts with a view to acquire a knowledge of official routine. They are trained for three months in the Magisterial Department and for nine months in the Revenue Department. They have to attend the Court of a first-class Magistrate and prepare a full, complete and careful record of the depositions of the witnesses and a concise summary of the evidence taken. They are required to take notes of the arguments of the pleaders, discuss the application of the law to the facts and write a decision. This must be done in at least six defended cases. They also have to inspect the registers and departments. On the Revenue side, they are expected to make *précis* of cases and draft letters, to check accounts and inspect the work of each department. On confirmation, before they take the departmental examinations, they are required to prepare a record of six cases tried by a first-class Magistrate and six defended Sessions cases; the record consists of a summary of evidence with notes as to its admissibility and relevance and notes on the procedure with reference to the Codes. They have also to be in charge of a district treasury for six weeks before passing in accounts. The training has been recently revised and appears to be satisfactory. In the Judicial branch there is no system of training or probation except in officiating vacancies.

(10) Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—The existing system is suitable. There is no departmental examination for officers of the Judicial branch of the Provincial Civil Service.

(11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No alterations appear to be necessary.

(12) What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it

satisfactory, and, if not, what alterations do you recommend?—The number of Executive posts necessary for the Administration less the number of junior civilians in training normally available for these posts is the basis of the strength of the Executive branch of the Provincial Civil Service. In this number, besides the general administration, are included the Special Departments, Settlement, Batwara, Excise, etc., which include a number of technically temporary appointments which, taken together, are practically permanent; and allowance for deputation is included and a leave reserve of 14 per cent. is calculated on the strength so obtained. The system works satisfactorily. In the Judicial branch the strength of the service is based on the actual number of Judicial officers required.

(13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—In the Executive branch the leave reserve is 14 per cent. based on the calculation that 7 per cent. is necessary for privilege leave and 7 per cent. for other leave. The leave reserve was added to the service in the reorganization of 1899 and was formed into a new grade on Rs. 200, the lowest grade having hitherto been on Rs. 250. This eighth grade was abolished from the 1st of January 1912, and its members added to the 7th grade on Rs. 250. There have been no complaints that the leave reserve is inadequate, and it seems correct that it should be placed in the lowest grade. In 1911, only 7·7 per cent. were on leave throughout the year. In the Judicial branch there is no leave reserve, and leave vacancies are filled from the list of enrolled candidates.

(14) Is there any reserve for officers under training and is it adequate?—There is no reserve for officers under training. In the Executive branch all officers are on probation for at least one year and are not then counted as part of the cadre, and it does not seem necessary to have any reserve for training in addition to this.

(15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice, and does it secure an even flow of promotion?—The annual rate of recruitment, for an ordinary service recurited in India is 3·82, but it was found that in fact this rate was not sufficient to keep the Executive branch of the Provincial Service in Bengal up to its strength. The explanation of this lies in the fact that the officers who are promoted from the subordinate service enter the Provincial Service at a higher age and therefore serve less than the average time. A formula has now been devised by the Government of India based on the normal recruitment, but allowing for the average number of officers on deputation outside the cadre and for the average length of service already rendered by officers promoted from the subordinate service. In future this formula will be followed, and, as in the case of the Civil Service, a calculation will be made of the estimated condition of the service compared with its sanctioned strength, and, in case an excess is estimated, one-third of the excess will be deducted from the normal recruitment, and, in the case of a deficiency, one-third of the deficiency will be added to the normal recruitment. In the Judicial branch the recruitment depends on the actual number of vacancies occurring each year.

(16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—In the Executive branch promotion to the 4th grade on Rs. 500 is by selection. The character reports are very carefully examined before promotion to this grade, and the selection is made fairly severe. There is no differentiation of work between the 4th and 5th grades as there is between a Joint-Magistrate and a Collector in the Civil Service, but the grades above Rs. 400 are regarded as prize appointments and the best men are selected to fill them. No change of practice seems necessary. In the Judicial branch promotion to all officers above the rank of Munsif is by selection only.

(17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The existing system works well, but Government should have the power to compulsorily retire officers for proved inefficiency; in that case it is necessary that there should be a fixed scale of pensions for such officers.

(18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The functions of the two branches are absolutely distinct. No change in this is desirable.

(19) Are you satified with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Government is satisfied with the existing listed post system. In giving promotion to listed posts the claims of all whose service has been specially approved are considered. In the Executive branch the tendency of late has been to select men at a younger age than formerly.

(20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—This question has been answered under the Civil Service questions.

(21) Are you satisfied with the present designation, "The Provincial Civil Service"? If not, what would you suggest?—The designation is in itself suitable and is not objected to by the members of the service.

(22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle is suitable.

(23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The statement

below gives the information required for the Executive branch.' The last general reorganization of the service was in 1899. Up to that date the cadre contained only the posts required for general administration; the special departments, and deputations were provided for by seconding Deputy Collectors and appointing officiating men in their places, and officiating officers were also appointed in leave vacancies, but these having no permanent appointments were unable to count their service for leave or pension until there was room for them to be confirmed in the ordinary grades, and on the average this took about eight years. The service was therefore reorganized to include all the practically permanent appointments in which Deputy Collectors were normally employed, and a leave reserve was added; officiating appointments were abolished, and the service became a self-contained cadre. The leave reserve was constituted an eighth grade on Rs. 200, while the remaining extra appointments were added to the grades in which at the time the seconded men were, in whose places the officiating appointments had actually been made. The grading which had been fixed in 1882 was not adhered to. In 1906 an addition of 116 appointments was made to the Provincial Service, and these were divided between Bengal and Eastern Bengal. The grading adopted in 1899 was followed. With effect from the 1st January 1912 the eighth grade which comprised the leave provision was abolished, and the leave provision was added to the seventh grade on Rs. 250. On the 1st April the eighth grade, which had hitherto existed in Eastern Bengal, was also abolished, and its members added to the Bengal seventh grade.

Executive Branch—Deputy Collectors.	Grade.	Rate of pay.	1st April 1890.	1st April 1900.	1st April 1912.
			Number of posts.	Number of posts.	Number of posts.
		Rs			
	I	800	7	7	5
	II	700	9	9	7
	III	600	19	19	16(e)
	IV	500	40	41	48(f)
	V	400	63	81(b)	71(g)
	VI	300	65	97(c)	73(h)
	VII	250	46*	78(d)	79
	VIII	200	28(a)	33	...
Total ...	...	...	282	365	299

* Three posts not filled.

(a) In April 1890, there was no eighth grade, but the officers shown here were the Probationary and Officiating Deputy Collectors on Rs. 200 per mensem.

(b) This includes one appointment for the Personal Assistant to the Director of Land Records and Agriculture, Bengal.

(c) This includes one appointment for Angul and another for the Agricultural Lecturer of the Sibpur Engineering College.

(d) This includes one appointment for the Personal Assistant to the Inspector-General of Registration.

(e) This includes two posts added to this grade, corresponding to Joint-Magistrates of the first grade, now treated as open to the Bengal Provincial Civil Service.

(f) This includes two posts added to this grade, corresponding to Joint-Magistrates of the second grade, now treated as open to the Bengal Provincial Civil Service.

(g) This includes two posts added to this grade, corresponding to the two posts of Assistant Magistrates and Collectors on Rs. 500 per mensem, now treated as open to the Bengal Provincial Service.

(h) This includes two posts added to this grade, corresponding to the two posts of Assistant Magistrates and Collectors on Rs. 450 per mensem now treated as open to the Bengal Provincial Civil Service.

The rates of pay and the numbers of posts in each of the main grades of the Judicial branch of the Provincial Civil Service on the 1st April of each of the years 1890, 1900 and 1912 were as follows:—

1st April 1890.

Subordinate Judges.		*Munsifs.*	
1st grade ...	7	1st grade	75
2nd „ ...	15	2nd „	70
3rd „ ...	27 +4 (temporary posts).	3rd „	65
		4th „	25

1st April 1900.

Subordinate Judges.		*Munsifs.*	
1st grade ...	7	1st grade ...	75
2nd „ ...	16	2nd „ ...	75
3rd „	30 +4 (temporary)	3rd „ ...	76
		4th „ ...	71+3 (temporary.)

1st April 1912.

Subordinate Judges.		*Munsifs.*	
1st grade	6	1st grade	61
2nd „	12	2nd „	70
3rd „	25	3rd „	66
		4th „	33

The pay in all these years was the same:—

Subordinate Judges.	Rs.	*Munsifs.*	Rs.
1st grade	1,000	1st grade	400
2nd „	800	2nd „	300
3rd „	600	3rd „	250
		4th „	200

There is at the present moment in Bengal a grade of Munsifs on Rs 500. This grade was formed in 1908 in Eastern Bengal and Assam in order to improve the prospect of the officers who were left in that province.

The grade has for the present been continued in Bengal.

The actual posts sanctioned on 1st October 1912 are as follows:—

Subordinate Judges.		*Munsifs.*	
1st grade ...	6	1st grade	12
2nd „ ...	12	2nd „	61
3rd „ ...	24 + 2 (temporary.)	3rd „	70
		4th „	66
		5th „	36

There was a general reorganization of the service in 1892, 1902, 1905 and 1912.

When the province of Bengal was split up into two in 1905 the existing posts were distributed between the two provinces.

The same process may be said to have taken place in 1912 when Eastern Bengal was reunited to Bengal, but Bihar and Orissa were formed into a separate province. Bengal, however, acquired by the redistribution the whole of the grade of Rs. 500 for Munsifs which has been created in the sister province of Eastern Bengal and Assam.

In 1902 four additional Subordinate Judgeships were created—one in the first grade on Rs. 1,000, one in the second grade on Rs. 800, and two in the third grade on Rs. 600.

The number of Munsifs was not altered, but important changes took place in their grading which largely improved their prospects.

This regrading was as follows:—

	Rs.			
1st grade ..	400	alterde from	75	to 92
2nd „ ...	300	„ „	75	„ 89
3rd „ ...	250	„ „	76	„ 84
4th „ ...	200	„ „	72	„ 30
			298	295

It will be seen that there is a very considerable increase in the higher grades with a corresponding decrease in the lower grades.

At the present moment the question of the reorganization of the service is once more before Government. Owing to the last redistribution of territory on 1st April 1912 the prospect of the officers allotted to Bengal is not so favourable as that of the officers allotted to Bihar and Orissa, owing to the fact that the actual requirements of the work have necessitated more Subordinate Judgeships in proportion to the number of Munsifs being allotted to Bihar.

(24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—In the Executive branch there has been no difficulty in obtaining candidates of the best stamp, and though requests have been made for a grade on Rs. 1,000, the present scale of pay seems to be sufficient to attract the qualifications desired. The grading is less liberal in the upper grades than that fixed by the Government of India in 1882, and the standard grading as fixed in that year should be adhered to, and the grades rearranged accordingly.

In the Judicial branch the pay of the lowest grade of Munsifs should be raised to Rs. 250, a step which has recently been taken in the case of the Executive branch.

(25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—Officiating grade promotions never have been made in the Provincial Service, and the historical reason, which is the basis of those in the Civil Service, does not exist. There is no reason for their introduction, and the system would give rise to a considerable increase of work in the Appointment Department and Accountant-General, Bengal's office; while the comparatively small amount of furlough taken by members of the Provincial Service would render the concession of less value than in the case of the Civil Service. If it is intended to better the prospects of the service, it would be more desirable to improve the grading.

(26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—Government is satisfied with the existing graded system of promotion. If it is decided to introduce a time-scale, it should be restricted to the lower grades.

(31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—The leave provision for the Executive branch of the Provincial Civil Service was only allowed for in 1899; up to that time no officer could be given leave, unless he could be spared without a substitute, or took sufficient leave to make it worthwhile to appoint a substitute in his place. The leave granted to the service was therefore very limited. Under present conditions leave is less often refused; the total amount of leave taken now is therefore higher than it used to be.

(32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service; and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Under ordinary circumstances, Provincial Service officers of the Executive branch take the full amount of privilege leave due to them; the only exception is when an officer is apprehensive that he may be transferred from a station that suits him. The amount that can be earned is suitable.

In the Judicial branch officers enjoy the annual vacation, and are not entitled to any leave on full pay unless they are detained on duty during the vacation. This restricts their leave to one fixed time in the year and this Government recommends that privilege leave to the extent of 15 days a year on full pay should be allowed to all members of the Provincial Judicial Service.

(33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The total amount of furlough is two years; the total amount of leave, including medical leave and leave on private affairs, is five years in the course of the whole service. The full amount is very rarely taken, and there are very few officers who take the whole amount of ordinary furlough that is due to them. At the same time the amount of ordinary furlough is by no means too liberal, and it is undesirable to restrict the amount of leave that may be taken on medical certificate.

(34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Furlough allowances are at the rate of half average salary. This no doubt operates to restrict the amount of furlough taken, but no complaints have been made that the amount of the allowance in itself is inadequate.

(35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The maximum leave allowance is Rs. 500, and this maximum is inoperative in the case of the Provincial Civil Service, because the highest salary in the Executive grades is Rs. 800 and in the Judicial Service Rs. 1,000. Having regard to Indian conditions the minimum is not unfair.

(36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—The present conditions seem suitable.

(37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?—No inconvenience to the administration is caused by the present leave rules. Leave, other than privilege leave, is comparatively rarely taken and privilege leave is not granted if it causes serious inconvenience.

(38) In particular, are they a contributory cause of excessive transfers of officers; and, if so, how can this difficulty be met?—The present leave rules do not contribute in any way to excessive transfers.

(39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the

existing differences between the leave rules for the European and Indian services as suitable?—Under the present rules, ordinary furlough cannot be taken till after ten years' service and thereafter only at intervals of eight years. These intervals in some cases are excessive and operate hardly. Leave on private affairs may only be taken if the officer has had no furlough, but an officer who has had leave on private affairs is not thereby debarred from furlough. Leave on medical certificate can only be taken out of India twice during the service, and is on half pay only for the first 15 months of each period and for 30 months in all. After these periods the allowances are restricted to quarter salary. These restrictions are vexatious and occasionally operate harshly, but the Government of India have recently consulted Local Governments on a proposal to allow medical leave unconditionally, subject to a total maximum of three years and a maximum at one time of two years; to allow ordinary furlough at the rate of one-tenth of active service to be taken at any time up to a maximum of two years; and to grant six months' special leave at any time during an officer's service. If these proposals are approved the existing grievances will be removed. The special question of privilege leave in the Judicial branch has already been discussed.

(40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system is satisfactory.

(45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The following table has been prepared to show the extent to which members of the Executive branch of the Provincial Civil Service subscribe to the Provident Fund. The greatest proportion subscribe to the full permissible extent. In addition to the Provident Fund, very considerable advantage is taken of the system of postal Insurance. No further facilities appear to be necessary.

Subscription at the rate of	6¼	per cent.,	38 officers.
Ditto ditto	7 13/16	„ „	7 ditto.
Ditto ditto	9⅜	„ „	9 ditto.
Ditto ditto	10 15/16	„ „	6 ditto.
Ditto ditto	12½	„ „	64 ditto.
Total		...	124 ditto.

The sanctioned strength is 299. The number of officers subscribing is 41·47 per cent. of the total strength. The corresponding table for the Judicial branch is given below:—

Subscription at the rate of	6¼	per cent.,	40 officers.
Ditto ditto	7 13/16	„ „	8 ditto.
Ditto ditto	9⅜	„ „	8 ditto.
Ditto ditto	10 15/16	„ „	3 ditto.
Ditto ditto	12½	„ „	51 ditto.
Total		...	110 ditto.

The sanctioned strength is 287. The number of officers subscribing is 38·32 per cent. of the total strength.

(46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—The existing organization of both branches of the Provincial Civil Service appears to be satisfactory. In the Judicial branch the reconstitution of the provinces has caused some hardship in detail, and to remedy this it is proposed to add six Subordinate Judgeships to the cadre and to retain the Rs. 500 grade of Munsifs rearranging the grades to give the service in Bengal prospects equal to those in Bihar.

APPENDIX III.

Note of dissent by the Hon'ble Nawab Syed Shams-ul Huda from the views expressed in the written answers by the Government of Bengal to the questions of the Royal Commission on the Public Services regarding the Indian and the Provincial Civil Services.

The main point of difference between me and my Honourable Colleagues is with reference to the present method of recruitment for the Judicial Branch of the Indian Civil Service, which I consider to be highly unsatisfactory and capable of great improvements. Under the present system men without any special legal training are suddenly called upon to fill the posts of District and Sessions Judges. As District Judges they have to hear appeals in civil cases from the decision of Subordinate Judges, who as a rule have served for twenty years or more as Munsifs before being promoted to the post of a Subordinate Judge. They were originally recruited as Munsifs from among graduates in Law with a few years' experience as vakils in the High Court or as pleaders in any of the District Courts. As a Sessions Judge he hears appeals from the decision of first-class Magistrates, and tries cases of murder, dacoity, forgery and all other serious offences. The only previous experience he brings to his work is the experience gained in trying a few criminal cases as a Magistrate. His knowledge of legal principles and procedure is naturally extremely limited, and it cannot be expected that such an untrained person should be a good Civil or Criminal Judge. It seems to me this state of things should not be allowed to continue. There are two ways in which an improvement may be effected. One is to train for judicial work a certain proportion of men who are recruited for the Covenanted Civil Service, and the other is to appoint men from the Bar, that is, from among barristers, vakils or pleaders for the higher Judicial Service. The latter alternative seems preferable for the following reasons:—

(*a*) That we have already got trained men in the Bar to recruit from, whereas the special training of the members of the Civil Service means a considerable additional burden on the revenues of the country.

(*b*) Even the trained men of the Indian Civil Service cannot possibly possess the experience of men who have been practising as lawyers, and I do not think there is any better school for training of Judges than the legal profession.

(*c*) That the men recruited from the Bar would generally be Indians whose knowledge of the people of the country, of their language, habits, manners and customs would give them great advantage over European members of the Civil Service, who as a rule are not quite able, easily to follow the language in which evidence is given or read, the documentary evidence which in civil cases is the most important part of the record.

(*d*) That the present method of recruitment is not quite compatible with the terms of the Statute of 1833 or the Queen's Proclamation of 1858, and it is fair that there should be more Indians in the higher posts of civil administration, and as between the Executive and Judicial branch of it, I consider the latter as the more suitable for the extended employment of my countrymen.

(*e*) My experience as a vakil of the Calcutta High Court where Judges are selected partly from among District Judges belonging to the Covenanted Civil Service and partly from practising barristers and vakils, has convinced me that Indians possess in a pre-eminent degree all the qualifications necessary for a Judge. This view is also borne out by the repeated testimony borne by their Lordships of the Judicial Committee about the good work of Indian Subordinate Judges. As a rule the Indian Judges of the Calcutta High Court recruited from the legal profession have been a source of great strength to that Court.

(*f*) It appears from the statistics recently collected as regards the relative merit of the judicial work done by the members of the Indian Civil Service and Subordinate Judicial Service, that the work of the latter has been slightly better than that of the former. Remembering that the Subordinate Judges get about a third of the pay of the District and Sessions Judges the payment of such high salaries to the untrained Judiciary for somewhat less satisfactory work seems to me to be wholly indefensible. I am certain that for the present pay of District and Sessions Judges we will get very much superior men from the Bar.

My proposal, therefore, is that the recruitment of all Judicial officers above the rank of Subordinate Judges should be mainly from members of the legal profession and only a small fraction should be reserved for such members of the Indian Civil Service who have specially qualified themselves for the office of a Judge.

As regards Subordinate Judges they should be mainly recruited from among the Munsifs, but it would be desirable to appoint a few of these also from among members of the legal profession just to infuse a little fresh blood.

As regards Munsifs I agree as to the method of recruitment suggested in the answer of this Government, on the ground that the small pay on which Munsifs enter service will not attract good men from the Bar and those who enter into the Provincial Judicial Service are generally men who have failed in the Bar and whose experience in the legal profession is not of any particular value.

All men recruited from the Bar as District and Sessions Judges should have the same pay and prospects and the same leave rules as members of the Civil Service. Otherwise good men from the Bar would not be attracted to the work.

If the more extensive employment of the Indians in the Judicial Branch of the service which has been advocated by me is conceded, I would leave the recruitment for the Executive Branch of the Civil Service as it is, and will not press for holding a simultaneous examination in India. Holding a simultaneous competitive examination in India will be unsatisfactory without safeguarding the interest of the backward communities.

APPENDIX IV.

(*Referred to in Question No. 16382.*)

Tables submitted by Mr. A. H. Cuming to show how the work of the District Judges compares with that of the Subordinate Judges. The results shown are the results of the appeals from the judgments of these officers to the High Court. Two periods are taken, one from 1887 to 1891 and one from 1907 to 1911. Up to 1891 the officers appointed as District Judges received a certain amount of preliminary training in Civil and Criminal Law before they undertook the duties of a District and a Sessions Judge. The result of their work appears in the years 1887 to 1891. After 1891 practically no preliminary training was given in the probationary period, and the result of the work of these untrained officers appears in the years 1907 to 1911. Of the three Tables, Table I shows the result of appeals from original decrees; Table II the result of appeals from appellate decrees; Table III the result of appeals from orders and decrees in miscellaneous cases.

Table I.—Showing the result of appeals decided by the High Court as affecting District Judges and Subordinate Judges. (Original Decrees.)

		District Judges.			Subordinate Judges.			
		Affirmed.	Reversed or modified.	Total.	Affirmed.	Reversed or modified.	Total.	
69 per cent. affirmed.	1887 ...	50	14	64	103	21	124	71 per cent. affirmed.
	1888 ...	58	22	80	91	43	134	
	1889 ...	45	30	75	114	50	164	
	1890 ...	53	26	79	140	58	198	
	1891 ...	51	21	72	98	49	147	
61½ per cent. affirmed.	1907 ...	84	62	146	171	77	248	65 per cent. affirmed.
	1908 ...	57	26	83	196	103	299	
	1909 ...	89	29	118	149	68	217	
	1910 ...	68	34	102	191	85	276	
	1911 ...	23	42	65	41	68	109	
	Total	578	306	884	1,294	622	1,916	

Table II.—Showing the result of Appeals decided by the High Court as affecting District Judges and Subordinate Judges.

		District Judges.			Subordinate Judges.			
		Affirmed.	Reversed or modified.	Total.	Affirmed.	Reversed or modified.	Total.	
87 per cent. affirmed.	1887 ...	753	103	856	1,050	103	1,153	87 per cent. affirmed.
	1888 ...	802	96	398	1,120	100	1,220	
	1889 ...	525	93	618	688	85	753	
	1890 ...	919	56	975	982	230	1,212	
	1891 ...	476	132	608	870	69	939	
74 per cent. affirmed.	1907 ...	382	142	524	536	81	617	83 per cent. affirmed.
	1908 ...	452	139	591	679	134	813	
	1909 ...	322	94	416	589	92	681	
	1910 ...	411	135	546	389	96	485	
	1911 ...	427	184	611	420	111	531	
	Total ...	5,469	1,174	6,643	7,303	1,101	8,404	

Table III.—Showing the result of Appeals decided by the High Court as affecting District Judges and Subordinate Judges. (Miscellaneous Appeals.)

		District Judges.			Subordinate Judges.			
		Affirmed.	Reversed or modified.	Total.	Affirmed.	Reversed or modified.	Total.	
78 per cent. affirmed.	1887 ...	154	54	208	102	26	128	80 per cent. affirmed.
	1888 ...	193	58	251	147	25	172	
	1889 ...	137	44	181	128	27	155	
	1890 ...	140	31	171	102	32	134	
	1891 ...	115	17	133	76	24	100	
68 per cent. affirmed.	1907 ...	96	44	140	121	35	156	73 per cent. affirmed.
	1908 ...	125	45	170	132	42	174	
	1909 ...	127	52	179	142	47	189	
	1910 ...	87	73	160	123	36	159	
	1911 ...	96	45	141	110	62	172	
		1,271	463	1,734	1,183	356	1,539	

APPENDIX V.

eferred to in Question No. 18570.)

Letter from the Indian Civil Service Association, Bengal Branch, to the Joint Secretaries to the Royal Commission on the Public Services in India.

I AM desired to address you on behalf of the Indian Civil Service Association, Bengal Branch, which is the representative body of the members of the Indian Civil Service in the provinces of Bengal, Bihar and Orissa, and Assam, and to request that you will be good enough to lay before the Commissioners the following statement of the views of the Association on certain matters affecting the Indian Civil Service which are now under the consideration of the Commission with special reference to the questions framed by the Commissioners under the heads "Salary," "Leave," "Pensions" and "Conditions of Service."

I am at the outset to say that the Association consider that the Service has legitimate grounds for discontent in the matters of its pay and grading, and other important conditions of service. The pay of the various appointments in the Service was fixed at different times and under varying conditions, but in general it is the case that for a long period the pay of the Service has remained stationary. Meanwhile the value of the rupee has deteriorated, the cost of living in India has doubled or even trebled, and the cost of living in England has increased. The change in conditions has been recognised in the improvements which have been granted from time to time to various other Imperial Services in India, for example the Police and the Public Works, but no such consideration has hitherto been shown to the premier Service. The change in the terms of appointment and training which took place in 1891 has further accentuated the deterioration. In a leaflet entitled "Prospects of the Indian Civil Service" which was circulated to undergraduates at Oxford by Sir William Markby in 1895, it was stated that "By the time he is thirty years of age an Indian civilian is prefect or chief officer of a district." The modern civilian, who begins his service in India at the age of 24 or 25, does not attain a substantive post of District officer until the 14th or 15th year of his service, that is, about the 40th year of his age. In a large proportion of cases he has not freed himself from the expenses of a prolonged training when he arrives in India, and he usually marries at an earlier stage of his service and on smaller pay than the officer appointed under the old system.

I am further to point out that political considerations governing the public service in India do not permit of officers materially reducing their scale of expenditure to meet these changed conditions, even if it were desirable that they should do so. The Indian civilian is not, as he has been erroneously described by some whose acquaintance with him is practically limited to the headquarters towns, a Civil Service clerk. On the contrary, in the districts where the bulk of his work is performed, he is the embodiment of authority and the representative of the Crown, and as such a certain scale of living is—rightly, the Association think—expected of and practically exacted from him. The combined effect of these conditions is that a considerable proportion of the members of the Service are in debt, and few save enough to make any appreciable addition to their income after retirement.

Though the Association have the strongest desire to avoid any trespass upon the field of controversy, they feel it necessary to add that the effect of these pecuniary disabilities is enhanced by considerations of a less material order which are combining to reduce in no small measure the importance and attractiveness of the Service. In the highest Councils of the State the civilian is being thrust into the background; and his share in the direction as contrasted with the execution of policy has been seriously curtailed. Certain important appointments of recent years, both in India and at the India Office, and also, it may be added, such enquiries as that on which the Commissioners are engaged, evince a tendency to encroach on his prospects and security of tenure. The constant development of the administration, and the growing complexity and formality of its methods, are rendering the work of every officer more and more arduous, while all are exposed in an ever-increasing degree to criticism, much of which, being of an uninformed and partizan character, is peculiarly irksome and disheartening, especially as it has to be borne in silence. The net result, it appears to the Association, is a very real decline in the attractiveness of the Service, which must inevitably react on recruiting, if measures are not taken to improve existing conditions before it is too late. Indeed, there is a general impression that during the last ten years there has been a decline in the quality of recruits, and though it is difficult to bring such an opinion to the test of statistics, the Association believes it to be well-founded. The Association is in a position to testify that members of the Service no longer act as its recruiting agents, as was formerly the case; on the contrary, their general advice to possible candidates among their relatives or friends is to choose some other career. And it is significant that, whereas 15 or 20 years ago the Home Civil Service was regarded by candidates as distinctly second in attractiveness to the Indian, in 1912 out of the first 20 passed candidates, India only secured 5.

The first general measure of amelioration which I am desired to propose is the abolition of the present system of deducting annuity contributions from salaries, and the grant of a net non-contributory pension of £1,000 per annum. The annuity of the Indian Civil Service is commonly referred to as a pension of £1,000 per annum, and the Association speak from experience when they say that it is not realised by many candidates who enter for the examination that a substantial porportion of that amount is contributed by the officer himself. In fact, however, the net pension of this, the premier Service, compares by no means favourably with the pensions earned in other appointments in India. For example, pensions rise to £1,000 in the Military Department, and £1,050 in the Medical Service, while certain barrister appointments yield a retiring allowance of £750 after as little as 11½ years' service. The Association consider that the financial amelioration which their proposal would effect is amply justified on the general considerations set out above, but in addition they also desire to urge that the system of contributions is in itself objectionable and unequal in its operation. The only alternative to the present contributory system suggested in the questions framed by the Commission is a non-contributory system varying in amount according to the salary drawn on retirement. The Association would not be prepared to accept any such proportional system, as it would tend to stagnation of promotion. On the contrary they hold, subject to the exceptions referred to below, that the system of equal pensions after a fixed term of years of approved service is one of the most important privileges of the Service and a principal attraction to recruits. But there could be no objection of principle to retaining the equal pensions which are the characteristic of the present system, while abolishing contributions. The unequal incidence of the present contributory system amounts to a substantial grievance. The original basis of the system was, as the Association understand, that an officer who retires after 25 years' service, after holding ordinary offices, should have contributed half the amount of his annuity himself. If, however, he continues in Service after that period, as the more able officers tend to do, his contributions do not cease, but continue or even increase in proportion to the pay of the higher offices to which he probably attains, with the result, it is understood, that a successful officer who attains to the highest appointments and serves his full term of 35 years, pays considerably more than half his pension himself and receives nothing in reward for his service from the State. As a result of the secret manner in which the Annuity Fund is administered—which in itself the Association regards as open to grave objection—the Association is not in a position to give verified figures on these points. In any case the anomaly is patent, that the higher the office that he has held and the longer his service to the State, the less does he receive by way of pension. There is moreover a widespread opinion, which again the Association is not at present in a position to verify, that the contributions at present exacted would be capable of producing a better return if invested, and it may at least be urged as certain that whatever the advantages of the contributory system when instituted, they have been greatly diminished by the wider opportunities for private investment which now obtain.

On the same general considerations it appears to the Association that improvements in the pay and grading of the Service are called for. The conditions, however, in this respect vary so greatly from province to province that they are not prepared to make detailed recommendations. Their only specific claim is for the revision of the grading of the Magistrates and Collectors in Bengal, Bihar and Orissa, and Assam, which at present compares unfavourably, especially in the two lowest grades, with the pay given in other provinces, and also with the pay of the judicial branch, as is clear on reference to the statement below:—

	Pay of the two lowest grades of District officers.		Pay of lowest grade of Judge.
	Rs.	Rs.	Rs.
Bengal ...	1,800	1,500	2,000
Madras ...	2,250	1,800	2,000
Bombay ...	2,325	1,800	1,800
United Provinces	1,833½	1,666⅔	1,833½

They consider that these figures establish a strong case for raising the pay of the lowest grade of District officers to Rs. 1,800 per mensem, and they would press that this should be done. This change could not, of course, stand alone, but would involve consequential improvements both in the superior and particularly in the inferior grades. In any case the Association maintains that the pay of the inferior grades should be substantially raised. It is at present inadequate and compares poorly with that of officers of the same age in other Imperial Services.

The Association regard the proposal for the introduction of a time-scale as unattractive, and greatly prefer the present system as providing a greater incentive to ambition and as more in accordance with the actual organization of the Service, which is recruited primarily to fill certain specified superior posts covering a wide range of duties. It appears to the Association that a time-scale has little to recommend it except as a means of avoiding the discontent and the consequent inefficiency arising from blocks in promotion; in other words, its proper function is that of a minimum regulating scale, or guaranteed standard, below which salaries would not be allowed to fall. In this form, as supplementary to, and not in supersession of, the ordinary arrangement of grading, the Association is of opinion that a time-scale should be adopted.

The remaining recommendations of the Association can most suitably be dealt with in connection with the questions framed by the Royal Commission.

(95).[*] The Association are of opinion that the present system of exchange compensation allowance should be continued. The concession was introduced for reasons the force of which has not diminished, and in its nature applies only to officers with a European domicile. In these circumstances it appears to the Association that to withdraw it would amount to an injustice which would react unfavourably upon the attractions of the Service, and that on the other hand to extend it, or any compensatory allowance in lieu of it, to officers with other conditions of domicile would be to impose an unnecessary burden upon the tax-payer.

(106-100)[*] It is a fact that officers on the whole take less furlough. At the same time the Association would not recommend any reduction in the total amount permissible, because this present system allows of an officer keeping a reserve of furlough in hand against emergencies.

(108-111).[*] The Association have no doubt that the reason why officers do not take the furlough due to them, is that under present conditions they cannot afford to do so. The cost of passages to and fro and the exceptional expense of a temporary residence in England, taken in conjunction with the reduction of income to half or less than half, make much furlough impossible, while even with the amount of furlough at present taken the average officer returns to India in debt. In these circumstances the Association is unable to accept the present rates of furlough allowances as suitable; on the contrary, they consider that there are strong grounds for raising them. In any case they urge that the maximum of £1,000 per annum at present imposed on furlough allowances should be removed or at least increased. This maximum presumably represented a fair competence when it was fixed. With the rise in the cost of living in Europe it has ceased to be suitable, and its existence in the case of senior officers is an additional obstacle to the taking of leave earned and often badly needed.

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[*] For these questions please refer to the list on pages v—xi at the beginning of this volume.

(118).* The present rules are subject to many irksome restrictions which appear to the Association to be useless, *e.g.*, those which limit the combination of various kinds of leave with privilege leave. This matter was dealt with by the Decentralization Commission, and the Association strongly support their recommendation that officers should be allowed to draw on the leave at their credit without any restriction except the convenience of the administration. They also consider that one year's furlough should be put to an officer's credit after the first four years' service, as with the present eight years' rule men are inclined to postpone taking long leave until it is too late for them to regain touch with home conditions.

(121-122).* There is a strong feeling in the Service in favour of the grant of an extra pension to those who have served in certain high offices, and the Association consider this feeling to be reasonable. It appears to them anomalous and undesirable that officers who have held these positions of exceptional dignity and responsibility should have to retire on no higher pension than the rank and file. They accordingly recommend that special pensions should be granted to those members of the Service who have held offices to which appointment is made by the Crown, viz., Heads of Provinces and Members of the Imperial or Provincial Executive Councils, and with these they would include Members of the Board of Revenue in Bengal and Bihar and Orissa, as being the final Court of Appeal in revenue matters. As to the amount of such pensions, they would recommend £1,500 per annum for Lieutenant-Governors, and for all others £1,200.

(121).* In accordance with the principles expressed above, the Association approves of the grant of special pensions to civilian Judges of the High Court. On the other hand, they desire to urge that the details of the present system operate unfairly against the civilian as compared with the barrister Judge. The civilian cannot earn any of his extra £200 until he has done his full 11½ years in the Court; the barrister Judge can retire on medical certificate on a proportionate pension after 6 years; the civilian Judge pays pension contribution, the barrister none. Unless the rules are altered, moreover, it will soon be impossible for a civilian to earn extra pension as a High Court Judge. An officer as a rule cannot expect promotion to the High Court until he has put in about 25 years' total service; the officers, therefore, who passed in under the present age-limit will have to retire under the 60 years' rule before they can complete their 11½ years' service for extra pension. The Association recommend the assimilation of the pension of civilian Judges of the High Courts to that proposed for high executive officers, viz., £1,200 after five years of office. They consider this amount of differentiation in favour of the civilian, as compared with the barrister, amply justified by the fact that the former has ordinarily earned all but £ 200 of his pension before entering the High Court.

(124).* The second principal modification which the Association would make in the rigidity of the present pension rules is that an inefficient officer should be retired at a comparatively early stage of service on a proportionate pension. They do not wish to be understood as admitting that cases in which such a system requires to be applied are of any frequency; on the contrary, they are convinced that they are of the rarest occurrence. Cases, however, do occasionally occur in which officers show themselves unfit to discharge what may be described as the staple duties of the Service, viz., the control, administrative or judicial, of a district, and the Association consider it detrimental to the interests both of the public and of the Service that such officers should be retained. They understand that a large number of officers were consulted on this subject not long ago by the Local Government, and that the sense of the Service as a whole was strongly in favour of the proposal; this opinion the Association desires to endorse. The Association further understand that considerable amount of material is available in the records of Government as to the lines on which, in the opinion of the members of the Service, such a scheme should be framed, and they do not therefore propose to make detailed recommendations on the subject except to call attention to three of the principal proposals which were pressed upon the attention of Government, viz., that the conduct of such proceedings should not be left exclusively to the Secretariats, but that the first stage in each case should be an enquiry before a special Commission composed of members of the Service; secondly, that the scale of pensions should be the same as that for retirement on medical certificate, subject to the improvements in the latter suggested below, and that the orders in each case should be passed by the Secretary of State and not by the Local Government or the Government of India. The Association desire to endorse all these proposals and in particular to urge that no change be made in the present system, under which orders for the retirement, as for the appointment, of a Civilian, issue from a Secretary of State alone. Unless adequate safeguards are provided in this matter, recruiting is certain to be adversely affected, and the Association feel strongly that the authorities in India are not in the position of absolute detachment which is necessary for proper judgment in such matters. They do not lose sight of the fact that the delegation of the power to order retirement to one of the authorities in India would leave the way open for an appeal to the Secretary of State, but they believe that such cases are more likely to be judged on their merits by that authority if they come before him as the sole and final tribunal.

(125).* The Association consider that an improvement is required in the scale of pensions granted on retirement on medical certificate, particularly in the case of senior officers. The present maximum invalid pension is £700 after 25 years' total service, of which less than 21 years has been active. The Association think that it will be conceded that this limit imposes an unduly severe penalty on senior officers whose health breaks down, and that it is likely to lead to the retention in service of the inefficient. They are of opinion that the difference between a full pension and a medical pension in the last few years of an officer's service should be minimised in such a manner as to correspond more nearly with the conditions of other Services where no distinction between the two classes of pension exists. In 1901 this Association proposed a scale of medical pensions working down from a maximum of £945 per annum after 24 years' service, and they would again urge that this be adopted.

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* For these questions please refer to the list on pages v—xi at the beginning of this volume

In conclusion the Association desire to submit certain recommendations which do not arise directly from the questions as framed by the Commission, but which have an indirect bearing on the emoluments of the Service and appear to the Association to be covered by the terms of the reference to the Commission.

In the first place, I am to urge that the actual expenses of officers on transfer should be paid by Government. The travelling allowances at present granted, being on the same scale as for ordinary touring within an officer's district, are altogether inadequate to meet the expenses of transfer from one post to another. When transferred in the interest of the State, the whole cost of moving the horses and conveyances which his duties require him to maintain, as well as furniture and personal effects, has to be paid by the officer himself, while a married man has also to meet the expenses of his wife and family. There is a very strong feeling, which the Association endorses, that an officer on transfer should be reimbursed the actual cost of the move. The Association do not think it necessary to give detailed examples of the heavy expenditure which falls on officers under the present rules, since they understand that ample material for working out a detailed scheme is already in the hands of the Government of India.

Secondly, the Association consider that it should be regarded as the business of Government to see that members of the Service are provided with suitable houses, at reasonable rents. In the mufassal stations the increasing tendency among Indian gentlemen, official and non-official, to live in *quasi*-European style, has made the housing problem a difficult one, and in many stations it will be found that officers are occupying altogether unsuitable accommodation for which they are paying exorbitant rents. The Association consider that suitable official residences should be provided at every station for the regular staff of civil officers, the rent charged for such accommodation being in proportion to the salaries drawn by the occupants. Similar conditions call for remedy in the Presidency towns. In Calcutta, for example, it is not uncommon to find junior officers paying one quarter or more of their incomes in rent, and that, too, for accommodation which is far from suitable, and the Calcutta House Allowance scheme is an altogether insufficient palliative.

Finally, I am to invite attention to the disquietude and apprehension with which the Service regards the arrangements made for medical attendance in the mufassal, which are frequently unsuitable, and in the case of married officers open to objections of the most serious character. The Association desire to urge most strongly that the medical service of Government should be so maintained as to provide a fully qualified European medical officer for every district. They entertain no doubt that if suitable provision is not made in this matter recruitment will be very seriously affected.

APPENDIX VI.

Letter from the Secretary, Bengal Chamber of Commerce, to the Joint Secretaries, Royal Commission on the Public Services in India, No. 584, dated Calcutta, 25th March 1913.

(Referred to in Mr. McLeod's evidence—question 17701 *et. seq.*)

I am directed by the Committee of the Bengal Chamber of Commerce to refer to the correspondence, resting with my letter No. 187, dated 29th January 1913, on the subject of the investigation which is being made by the Royal Commission.

2. In my letter No. 161, dated 25th January 1913, to your address, I informed you that the Chamber of Commerce did not propose to reply to the printed interrogatories which were published with your circular letter dated 1st December 1912. I added however that the Committee desired to place before the Commission a representation setting forth the views of the European commercial community on certain features of the enquiry. In reply you were good enough to intimate that Lord Islington, the Chairman of the Commission, would be prepared to receive such a representation, which I am accordingly now to submit to you.

3. Before proceeding to deal with the questions at issue I am to explain, in the fewest possible words, the objects of the Chamber, and the extent of the interests for which it stands. The Bengal Chamber of Commerce was founded in 1834, during the administration of Lord William Bentinck, and it is an Association consisting almost entirely of European merchants, ship-owners, and bankers. Its primary object is defined, in its Memorandum of Association as being "to promote and to protect the trade commerce, and manufactures of India, and in particular the trade, commerce and manufactures of Calcutta." In the year 1834-35 the foreign import and export trade of Bengal (inclusive of treasure) aggregated Rs. 680 lakhs: in 1911-12 the total was Rs. 14,866 lakhs. The bulk of this trade is now, as it was seventy-nine years ago, in the hands of the merchants, ship-owners, and bankers, who form the Bengal Chamber of Commerce. The enormous increase is an indication of how greatly European interests on this side of India have developed during the intervening years. These interests—which centre in Bengal but extend into almost all the other Provinces as well—have given Calcutta the largest European population of any eastern city. They have also brought into existence large European settlements in the mining districts of Burdwan and Manbhum, in the tea and jute districts of Assam and Bengal, and in the zemindaries of Bihar. It is manifest that interests so large and so widely extended cannot be effectively protected except under a strong, stable, well-ordered, and efficient Government; and it is therefore the duty of the Chamber, which is their representative organisation, to express its opinion on any questions which may affect the administration of the country.

4. Certain of the principal matters which are engaging the attention of the Royal Commission vitally affect the administration of the country. And the Chamber consequently wishes to place

on record--more succinctly than is possible in replies to interrogatories—a definition of its attitude in respect of these grave issues. There is also a precedent for this course of action on the part of the Chamber. In 1886-87, when the previous Public Service Commission was making its enquiries, the Chamber submitted to it a reasoned* expression of European opinion on certain of the proposals which were then under examination. Some of these proposals appear to be almost identical with, or at least very closely allied to, those which are before the present Commission. Now, as then, the most important of them is one for the establishment of a system whereby the competitive examination for the Indian Civil Service would be held simultaneously in England and in this country. It is now, as it was twenty-five years ago, the convinced belief of Europeans of all classes in India that the adoption of a scheme such as this would result, not perhaps immediately but ultimately, in the substitution, for the present administration, of an administration essentially Indian in character and *personnel*. It follows, therefore, that the issue which emerges for consideration by the Chamber is whether the interests for which it stands could be effectively protected and promoted under such a Government as this would be.

5. It may be of course objected that for the Chamber to examine the issue from this standpoint merely indicates that the European merchant takes but a narrow and prejudiced view of grave public questions. It is indeed sometimes asserted that, as a class, the European merchants in India do not concern themselves with politics except to safeguard their own interests. In so far as this is a statement of the fact that a minority is naturally apprehensive of an aggressive majority, no exception can be taken to it. But the real point is surely whether, in protecting his own interests, the European merchant is not also protecting the interests of the people of the country. In other words the question is whether the interests of the European are in any way hostile to those of the Indian. This question was answered by the Chamber in the representation which it made in 1887, and to which I have already alluded. "Our interests," the representation stated, "and those of the bulk of the population are in fact identical. What we want, and what they want, is a strong and efficient Government. But our interests and theirs are alike opposed to the sacrifice of these essentials to the hopes and contentions of certain classes of aspirants to office." No impartial person can deny the truth of this assertion. Nor can it be gainsaid that the prosperity of the people has advanced as the commerce and industries of the country have developed. It is, for example, indisputable that the development of the jute industry has greatly enriched the peasantry of Eastern and Northern Bengal, and has also provided lucrative employment for nearly a quarter of a million operatives in the Calcutta mills. A similar plea may be justly made for the tea and coal-mining industries which between them employ upwards of 600,000 persons in the three provinces of Bengal, Bihar and Orissa and Assam. The European merchant is therefore merely making a plain statement of fact when he claims that the interests of the people of the country are identical with his own.

6. The Indian administration as it is at present constituted is by no means ideal when regarded from a mercantile standpoint. On the contrary there is in commercial circles a very general feeling that it is lacking in strength, that its methods are dilatory, and that it fails to encourage commercial and industrial enterprise. The merchant believes that for the swift development of the resources of the country a more progressive and more efficient administration is needed. And he naturally enquires if the institution of a simultaneous competitive examination would tend in that direction. The evidence which has been so far recorded does not suggest that it would do anything of the kind. It is indeed a striking fact that none of the witnesses—either Indian or European—seems to hold the view that the more liberal admission of Indians into the public service would be calculated to strengthen the administration and to enhance its efficiency. The utmost that is hoped for is that the Indian administrator of the future may be perhaps as good as the European administrator is at present. This is surely a restricted and an entirely wrong view of the limits to which good government may be reasonably expected to attain. The Committee of the Chamber hold the contrary opinion, for they consider that the most urgently needed of all reforms in India is such a strengthening of the administration as will enable it to deal much more satisfactorily than it deals now with the intensly difficult political, administrative, and commercial problems lying before it.

7. It being admitted that the change is not calculated to afford additional strength to the administration, the next question is whether the administration would or would not be weakened by its adoption. All the local Governments, all the European Civil Servants, and all the European non-officials, professional and commercial, appear to be unanimously opposed to it on the ground that, in the result, it would tend to weaken the Government, and to destroy what may be termed its British character. This opinion is certainly entertained by the Chamber, as it was when the last Public Service Commission was sitting. Education has undoubtedly advanced during the interval. But merchants and manufacturers on this side of India do not find that the advance has been of such a nature as to enable them to reduce the European supervision in their offices, and factories, and workshops. On the contrary the tendency is in the direction of the extended employment of imported Europeans, and of a corresponding diminution in the number of Indians holding highly paid mercantile posts. This state of affairs may not prevail throughout the whole country. But it certainly does in Bengal and, the Committee believe, in Madras also, and in most of the other provinces, except perhaps Bombay. The expansion of trade does not explain it, and it is undoubtedly due to the fact that European supervision is found to be essential to success. The natural inference is that the conditions have not so altered during the last twenty-five years as to warrant a different conclusion, in the matter of simultaneous examinations, to that at which the previous Commission arrived. For in commerce there is free and open competition between the European and the Indian, and moreover the imperative need for economy insistently demands that the cheaper local labour shall be employed, whenever and wherever there is a possibility of employing it

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* A copy of this representation is attached for information.

(*Note*.—This has not been printed here.)

without sacrificing efficiency. And if, in these circumstances, the Indian is not forcing his way in commercial life, it is difficult to believe that he can be well-qualified, except of course in rare instances, for the higher ranks of the public service. It seems to the Committee of the Chamber, in this connection, to be a pity that the commercial witnesses, who were examined in Calcutta, were not more closely questioned as to the reasons why responsible posts, which were previously held by Bengalis in large business institutions, are now, with a few exceptions, being filled by Europeans notwithstanding the additional expense.

8. The experience of the European merchant entirely coincides with that of the local Governments, and the European Civil Servants who have given evidence before the Commission. In mercantile circles it is found, as according to the authorities mentioned it is found in official circles, that distinctly better results are obtained when administrative affairs are under European supervision than when they are under Indian supervision. It must be accepted therefore either that European opinion, both official and non-official, is hopelessly prejudiced, and thus incapable of forming a right judgment, or that the introduction of a system of simultaneous examinations would ultimately tend to weaken the administration, and to destroy the essentially British character which it now possesses. The first alternative is hard to believe. The record of the English in India may be honestly said to be against it. For the progress which the people of India have so far made has been made on the direct initiative of the English. The system of education which has produced the classes who are now demanding extended recognition is an English system brought to, and established in, the country by Englishmen. The first alternative is not therefore admissible, and the Committee of the Chamber are convinced that the view entertained by the local Governments, and by the whole European community, is the sound view. And they are confirmed in this conclusion by an examination of the arguments which are being advanced in support of the change.

9. The previous Commission said in its report (paragraph 60) that "the arguments usually advanced by those who favour the plan of a competitive examination in India are that the introduction of some such system is necessary to remove obstacles which at present preclude Natives of India from competing on terms of equality with British-born subjects of Her Majesty, and that the interposition of such obstacles is inconsistent with the Statute of 1833, and the Queen's Proclamation of 1858." These arguments are still being brought forward, but the reply which the Commission gave to them still holds good, namely, that the provisions of the Statute, and the declarations embodied in the Proclamation, are not affected by the place of examination. Moreover it has also to be borne in mind that neither the Statute nor the Proclamation lays down that Indians must of necessity be admitted, irrespective of qualifications, to every class of office in the public service. The Statute provides (section 87) that "religion, place of birth, descent, colour, or any of them" shall not be a disability. And the Proclamation says that, so far as may be, British subjects of whatever race or creed shall "be freely and impartially admitted to those offices the duties of which they may be qualified by their education, ability and integrity, duly to discharge."

10. It is urged however that the Statute and the Proclamation cannot be given full effect to except by the grant of a simultaneous competitive examination, and that until this is conceded the educated classes will feel that they have a grievance against the British Government. The Chamber of Commerce is very clearly of opinion that every reasonable effort should be made to remove the legitimate grievances of the Indian people whether literate or illiterate. But, as its witnesses before the Commission endeavoured to point out, it seems to the commercial public to be a most dangerous experiment to attempt to remove grievances, real or imaginary, at the expense of good administration. Such a policy must and inevitably will tend not to allay, but to intensify, whatever discontent there may be. For when reduced to plain terms it really amounts nothing but an attempt to pacify a developing class of the community by the offer of a number of public appointments. It is in the highest degree improbable that those sections of the educated classes who claim a larger share in the administration would be satisfied even if every high appointment were filled by an Indian, not because they are essentially unreasonable but because the number of them who would still be unsuccessfully seeking employment in the public services would not be diminished. On the contrary, with the development of educational facilities, these unsuccessful candidates for office would be even more numerous than they are at present, with the result that the discontent would be aggravated. The administration of the country would be weakened and progress would be retarded, while the condition of the classes for whose supposed benefit the change had been made would be in no sense ameliorated, and they would be no nearer pacification than they are to-day. The European merchants have every sympathy with the educated classes of the people of India; and they recognise the great difficulties which surround the advancement of these classes. But they cannot believe that the position of any considerable section of the community can ever be sensibly improved merely by their extended employment in the public service It is not to such a policy that the educated Indian should look for his advancement. He will find ample scope for all his energies in the commercial and industrial development of the great country which he has unfortunately so long neglected. And until this development has reached a very much more advanced stage than it has reached at present, it cannot be to his advantage, or indeed to the advantage of any class, European or Indian, that the Government should be other than a powerful, efficient, and essentially British administration. Except under the protection of such a Government it seems to be impossible to believe that India can ever be brought into line with the other great nations of the world.

11. It is not the intention of the Chamber to enter in detail into the other objections which have been urged against a system of simultaneous examinations. Most of them were lucidly set forth in the report of the last Commission, and they still hold good. In fact certain recent events, which unfortunately are not isolated or exceptional, would appear to suggest that the difficulty in regard to the maintenance of the secrecy of the papers set in Indian examinations is, if anything, greater now than it formerly was. Nor do the Committee propose to discuss at length the question of whether the

present system of recruitment by open competitive examination in England is working satisfactorily. They content themselves merely with confirming the view taken by their witnesses, namely, that in commercial circles it is felt that the men who are now recruited for the Indian Civil Service are not perhaps on the average in all respects quite equal in force of character to their predecessors. To suggest a remedy is of course a matter of very great difficulty, but the opinion is general that something more than a competitive examination is required. Whatever system may be eventually recommended it should be, the Committee of the Chamber think, open to all His Majesty's subject without restriction or differentiation, subject to the proviso that the European element is fully maintained. The test whatever form it may take, should be held in Britain only; and no scheme for a separate examination in this country should be considered. The future administrators of India should be educated in a British and not an Indian environment.

Letter No. 1994, dated 31st December 1908, from the Bengal Chamber of Commerce to the Government of Bengal, Appointment Department.

12. Another question which is engaging the attention of the Commission is that of the proposed separation of the judicial and executive functions which are now exercised by district officers. In expressing their opinion on this question four years ago the Committee of the Chamber remarked:—"In all the communications which they have received from various associations and other organisations, it is clearly and definitely stated that the maintenance of the authority of the district officer, carrying with it the combination of judicial and executive duties, is essential for the welfare and security of the district. The scheme drawn up by the Government of India does not of course omit to safeguard the preservation of the public peace. But, notwithstanding these safeguards, mufassal European opinion is decidedly in favour of the continuance of the existing system. The present state of the provinces of Bengal and Eastern Bengal, as indicated by recent occurrences, must also, the Committee think, be considered. That there is just now abundant need for firm, judicious and vigilant executive administration is, they hold, beyond question. And to make at such a juncture a change, which a large body of informed opinion certainly regards as prejudicial to the position of the executive officers of Government, might prove to be a distinctly unwise proceeding. The conclusion at which the Committee have therefore arrived, after prolonged deliberation, is that the safer and better course would be to postpone action until the time is more opportune for the introduction of an alteration in the administration, at which it may be desirable to aim, but which, so far as they have been able to ascertain, is not called for, to what can be deemed an important extent, in the interest of the people of this country." The Committee believe that they are correct in saying that at the present time commercial opinion is more strongly antagonistic to the proposed separation than it was when these words were written. Nothing has occurred during the past four years to justify the view that the authority exercised by district officers can be safely relaxed in any direction.

APPENDIX VII.

Officials, Non-officials and Associations in the Bengal Presidency who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xxxviii of this volume, but who were not orally examined.

(a) OFFICIALS.

(1) J. A. Milligan, Esq., I.C.S., Settlement Officer, Jalpaiguri.
(2) S. W. Goode, Esq., I.C.S., Deputy Chairman, Calcutta Corporation.
(3) A. Marr, Esq., I.C.S., Officiating Senior Secretary, Board of Revenue.
(4) J. Donald, Esq., I.C.S., Officiating Secretary to Government, Financial and Municipal Departments.
(5) H. Walmsley, Esq., I.C.S., District and Sessions Judge.
(6) J. H. Kerr, Esq., I.C.S., Secretary to Government, Revenue Department.
(7) M. Yusuf, Esq., I.C.S., District and Sessions Judge, Rangpur.
(8) J. G. Cumming, Esq., C.I.E., I.C.S., Officiating Commissioner, Calcutta.
(9) J. C. Jack, Esq., I.C.S., Director of Land Records.
(10) H. P. Duval, Esq., I.C.S., Additional District and Sessions Judge.
(11) F. D. Ascoli, Esq., I.C.S., Settlement Officer, Dacca.
(12) Khan Bahadur A. K. M. Abdus Sobhan, Police Magistrate, Sealdah.
(13) J. N. Ray, Esq., Officiating Magistrate and Collector, Malda.
(14) B. K. Dutta, Esq., Munsif, Chandpur.
(15) A. C. Dutta, Esq., Sub-divisional Officer, Feni.
(16) Khan Bahadur Muhammad Abdul Momen, Assistant Settlement Officer, Mymensingh.
(17) N. G. Basak, Esq., Bengal Secretariat.
(18) D. N. Sarkar, Esq., Munsif, Brahmanbaria.
(19) A. C. Gupta, Esq., Officiating Personal Assistant to Commissioner, Dacca.
(20) Rai Bahadur J. N. Dass, Deputy Magistrate, Dacca.
(21) S. P. Sen, Esq., District and Sessions Judge, Sylhet.
(22) B. C. Mitra, Esq., Assistant Sessions Judge, Alipore.
(23) Lieutenant-Colonel J. T. Calvert, I.M.S., Principal, Medical College, Calcutta.
(24) F. C. Daly, Esq., Deputy Inspector-General of Police, Jalpaiguri.
(25) B. K. Finnimore, Esq., Secretary to Government, Public Works Department.

(b) NON-OFFICIALS.

(26) Khan Bahadur Nawab Badruddin Haider, Calcutta.
(27) P. N. Dutt, Esq., Bar.-at-Law.
(28) J. N. Ray, Esq., Bar.-at-Law.
(29) R. C. Mitra, Esq., Senior Government Pleader, High Court, Calcutta.
(30) A. K. Dutta, Esq., Zemindar, Barisal.
(31) Rai Bahadur Raja Kisori Lal Goswami, Serampore.
(32) Maharaja Ranajit Sinha, Raja of Nashipur.
(33) Maharaja Girija Nath Roy Bahadur, Raja of Dinajpur.
(34) Nawab Sir Salimullah Bahadur, G.C.I.E., K.C.S.I., Nawab of Dacca.
(35) F. H. Stewart, Esq., Partner, Gladstone, Wyllie & Co.
(36) Bazlul Karim, Esq., Retired Deputy Magistrate, Calcutta.
(37) M. L. Ghose, Esq., Editor, the *Amrita Bazar Patrika*, Calcutta.

(c) ASSOCIATIONS.

(38) Indian Association (P. N. Banerji, Esq.).
(39) Bengal Presidency, Moslem League (Z. R. Z. Suhrawardy, Esq.).
(40) Anglo-Indian Association (T. A. Milne, Esq.).
(41) Darjeeling Planters' Association (A. W. Hadrill, Esq.).
(42) Calcutta Trades Association.
(43) Bengal National Chamber of Commerce (S. N. Ray, Esq.).
(44) Central National Mahomedan Association (Khan Bahadur Maulvi Abdus Salam).
(45) British Indian Association (Raja Reshee Case Law, C.I.E.).

APPENDIX VIII.

Officials, Non-officials and Associations in the Bengal Presidency who furnished written answers to th interrogatories printed on pages v—xxxviii of this volume, in response to a notification published i the Calcutta Gazette, *but who were not orally examined.*

(a) OFFICIALS.

(1) E. F. Ainslie, Esq., Sub-divisional Officer, Siliguri.
(2) L. Burrows, Esq., Sub-divisional Officer, Vishnupur.
(3) J. C. Bose, Esq., Deputy Magistrate, Pabna.
(4) J. C. Banerji, Esq., Munsif, Feni.
(5) Maulvi Abdul Majid, Deputy Magistrate, Barisal.
(6) Syed Abdus Salik, Deputy Magistrate, Alipore.
(7) R. C. Sen, Esq., Sub-Judge, Barisal.
(8) S. K. Raha, Esq., Personal Assistant to the Commissioner of Excise and Salt, Calcutta.
(9) S. C. Basu, Esq., Munsif, Dantan.
(10) J. C. Goswami, Esq., Munsif, Kasba.
(11) H. N. Ray, Esq., Judge, Small Cause Court, Calcutta.
(12) T. P. Chatterjee, Esq., Munsif, Alipore.
(13) U. L. Das Gupta, Esq., Officiating Munsif, Iswarganj.
(14) J. K. Bose, Esq., Officiating Munsif, Pingua.
(15) A. C. Ghose, Esq., Officiating Munsif, Comilla.
(16) S. N. Batabyal, Esq., Deputy Magistrate, Bakerganj.
(17) S. C. Ghatak, Esq., Senior Deputy Magistrate, Rangpur.
(18) T. P. Chatterji, Esq., Munsif, Ulubaria.
(19) Members of the Provincial Civil Service, Burdwan.
(20) Ditto ditto, Chittagong.
(21) Ditto ditto, Jessore.
(22) Ditto ditto, Rajshahi.
(23) Ditto ditto, Midnapore.
(24) Ditto ditto, Noakhali.
(25) Ditto ditto, Mymensingh.
(26) Ditto ditto, Dinajpur.
(27) Ditto ditto, Midnapore.
(28) Members of the Subordinate Service, Dinajpur.
(29) Ditto ditto, Burdwan.

(b) NON-OFFICIALS.

(30) H. R. Chaudhuri, Esq., Zemindar, Bogra.
(31) R. Dutta, Esq., Student, Presidency College, Calcutta.
(32) Revd. S. B. Ganguli, St. Mary's Church, Bhowanipur.
(33) G. M. Day, Esq., Bar-at-Law, Krishnagar.
(34) A. C. Mazumdar, Esq., Municipal Chairman, Faridpur.
(35) Revd. B. Bhattachariya, Missionary, Baliganj.
(36) N. K. Basu, Esq., Vakil, High Court, Calcutta.
(37) G. C. Chunder, Esq., Solicitor, Calcutta.
(38) Miss C. Sorabji, Court of Wards, Calcutta.
(39) J. C. Stalkartt, Esq., Ghuseri.
(40) Maulvi Abdul Jubbar, Retired Deputy Magistrate, Burdwan.
(41) S. C. Biswas, Esq., Pleader, Calcutta.
(42) B. Sen, Esq., Retired Deputy Superintendent of Police, Goari.

(c) ASSOCIATIONS.

(43) Indian Civil Service Association, Bengal Branch (C. F. Payne, Esq., I.C.S.).
(44) Bratya Kshatriya Association (R. C. Sardar, Esq.).
(45) Anglo-Indian Empire League (J. C. Cuyper, Esq.).
(46) Bangiya Mahishya Samiti (M. N. Das, Esq.).
(47) Sonamganj Mahishya Samiti (K. C. Das, Esq.).
(48) Gaibandha Mahishya Samiti (R. K. Sarkar, Esq.).
(49) Dacca Mahishya Samiti (B. K. Roy, Esq.).
(50) Rangpur Association (R. K. Bhattacharya, Esq.).
(51) Indian Christian Association (K. N. Basu, Esq.).
(52) Catholic Association of Bengal.
(53) Rajshahi Association (K. M. Chaudhuri, Esq.).

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- if Required to hold inferior post for administrative reasons, should be recruited from P.C.S., *Stephenson* - - - - - - - - 15,795–8

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  - by Promotion from P.C.S., advocated, *Abdul Majid* - - - - - - - - 14,955
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Necessary, but no suggestions, *Mahtab* - 13,105
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History:
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Indian history advocated, *Sinha*, 9823, 10,114; *Mitra*, 11,576; *Mookerjee*, 12,176; *Ghose*, 13,909; *Abdul Majid*, 14,928, 14,975–9; *Banerjea*, 15,120, 15,448.
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Modern history, marks, alterations advocated, 500 each, *Mookerjee* - - - - 12,176
Languages:
Arabic:
Difficulty of, and inclusion of history and literature, *Macpherson* - - 19,141–53
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Bengali:
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Pali, inclusion advocated, *Banerjea*, 15,120, 15,445–7; *Baikuntha Nath Sen*, 16,559, 16,612–4, 16,648–58; *Basu*, 18,271, 18,465.

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Languages—*continued.*
Persian:
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should be Ranked as classical language, but might be classed with French and German, *Fazlul Huq* - - - - - 12,965–7
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Increase of marks advocated, *Sinha*, 9823, 10,114
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Vernaculars:
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ndian languages (*see* Oriental Languages *and* Vernaculars).

ndian Medical Service men, no more to be placed on civil duty, *Hughes-Buller* - - - 16,971–3

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- IN HIGHER POSTS—*continued.*
  - Indians would still be eligible for, if simultaneous examinations introduced, *Braithwaite* 14,285–6, 14,445–7
  - Increase in number:
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    - no Objection to, if cadre of Europeans not reduced, *Stephenson* - - - - 15,700–5
  - Opening of certain posts to Indians advocated, *De*, 10,377; *Mahtab*, 13,098, 13,150–4, 13,185, 13,214–7.
  - Question of efficiency of Indians, and examples quoted, *Milne* - 11,323, 11,458, 11,484–516
  - one Sixth Indian proportion, increase not advised, reasons and definite proportion not necessary, *Carnduff*, 10,787–8, 10,836–9, 10,881–9; *Milne*, 11,320.
- Inadvisable to appoint, in certain districts, *W. S. Milne* - - - - - - - - 11,323
- INCREASE IN NUMBER IN I.C.S.:
  - Advocated, *Mahtab*, 13,219; *Abdul Majid*, 14,983–6.
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  - by Division of district, possible, *Macpherson* 19,075–6, 19,207
  - would not Endanger British tone, but would be improvement all round if education in England obtained, *Banerjea* - - - 15,324–5
  - Fixed increase preferred to uncertainty, *Shorrock* 14,561–70, 14,680–93
  - Gradual, desirable, *Mookerjee*, 12,293–5, 12,446–50; *Shorrock*, 14,561–70, 14,680–93, 14,725–68.
  - Guarantee against preponderance necessary, but small increase possible, *Cullis* - 18,689–94
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  - in Office posts only, approved, *Braithwaite* 14,264, 14,271, 14,327–8
  - Question of, *Stephenson* - - - 15,861–70
- IN I.C.S.:
  - Limitation advised, if simultaneous examinations not introduced, *Ghose* - - - - 13,912
  - List of "Natives of India" serving in Bengal, with details *re* pay, &c., *Stephenson* - 15,533, p. 548
  - Number in, large enough, certain standard necessary, *Strong* - - - 9669–70, 9683, 9756
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  - Numbers, and promised number not elected, and reasons, *Stephenson* - - - 15,940–66
  - Often cut off from families, and many not married at the time, and do not maintain large family, *De* - - - - - - - - 10,548–56
  - Percentage, and annual rate, &c., *Gupta* 17,896, 18,063–71
  - Possibility of reduction under system of simultaneous examination but only temporarily, *Gupta* 17,961–7
  - Prize appointments denied to Indians, *De* 10,337, 10,602–5, 10,696–8, 10,741–2
  - Proportion:
    - 20 per cent. advocated, and scheme, *W. P. Milne* 17,239, 17,257–6, 17,283–5
    - in Civil Service increasing, *Hughes-Buller* 16,694
    - no Complaints *re* number fixed by Rules of 1879, but men selected not good, *Sinha* 10,126–31
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      - Advocated at present, *Mookerjee* - 12,167, 12,213–4, 12,223, 12,226, 12,292, 12,354–8, 12,429–45, 12,454, 12,558–9
      - Statutory objection, *Gupta* - - 17,980–2

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- IN I.C.S.—*continued.*
  - Proportion—*continued.*
    - one Fourth limit—*continued.*
      - Suggested without listed posts, and reaching of, not anticipated, *Gupta* 17,896, 17,916, 17,973, 18,071–84, 18,171–93
    - one-Half suggested, and arguments in favour, *Ghose* - 13,900, 13,946–8, 13,955–65, 14,117, 14,124, 14,193
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      - Including listed posts, suggested, *Macpherson* 18,963
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    - one Third:
      - Preservation of ratio in different provinces not necessary, *Sinha* - - 10,238–47
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  - in Judicial branch more than in Executive, *Stephenson* - - - - - - - - 16,105
  - Many good lawyers, and better lawyers than advocates, *Milne* - - - - - 11,542–7
  - Might get Western education and qualifications in India, though rare, and might be better than I.C.S. man, *Stephenson* - - - - 16,195–203
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  - Obliged to keep families and educate children in Europe, and question of, *De* 10,383, 10,518–20, 10,537–43
  - Pay, no difference, *Crosse* - - - - 13,552
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  - would Prefer judicial branch, if separate recruitment, and Government would be relieved of necessity of appointing too many Indians to executive side, *Mookerjee* - - 12,267–8, 12,363
  - Public impression that Government is losing confidence in, and selecting Europeans for almost all important posts, *Fazlul Huq* - 12,906, 13,001–6, 13,015–9, 13,075–7
  - Recruited for Bar, returns *re* handed in, *Cuming* 16,381–2
  - Recruitment (*see under* Recruitment).
  - Satisfactory work in opinion of Public Service Commission, 1886, and no deterioration known, *Gupta* - - - - - - - 18,046–9
  - more Sensitive to criticism in district, *Stephenson* 16,229–30
  - Separate service for, not advocated, *Sinha* 9922–3
  - Small number only send sons to England, though increasing, *Sinha* - - - - 10,177–8
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  - Sufficient opportunity not given to test administrative capacity, but improvement under present Government, *Gupta* 17,896, 18,045, 18,050, 18,163–4
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  - Employment in other public services in India advocated, *Ghose* - - - - - 13,919
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  - Distinct training and examination advised, *W. P. Milne* - - - - - 17,240, 17,274–8
  - in Laws of Procedure, High Court Rules and Orders, and Accounts, advocated, *De* - 10,420
  - No training and probation except in officiating vacancies - - - - - - p. 570
  - One year or one and a half and practice sufficient for Indians, but three years for Europeans, *Abdul Majid* - - - 14,937, 15,016–20
  - Reserve for, none, and none required, *Chaudhuri* 17,371
  - Suitable, advocated, *Mitra* - 11,569, 11,674–6
  - Three years' practice might be dispensed with, and time saved, and suggestions *re*, *Cuming*, 16,278, 16,353–6, 16,469–74; *Chaudhuri*, 17,358, 17,359, 17,480–9, 17,512–9, p. 565.
- Vacation, time of year of Pujas and length, and other holidays, *Cuming* - - - 16,519–23
- (*see also* Munsifs *and* Judges, Subordinate.)

Judicial Service:
- a Necessity, *Carnduff* - - - 10,761, 10,854
- One service only advised, from munsif to district judge, and scheme, *Abdul Majid*, 15,082–4; *Chaudhuri*, 17,368, 17,376, 17,565–73.
- Separate, not advocated, and reasons, *Carnduff* 11,021

K.

Kanungos:
- should still be Eligible for promotion to P.C.S., *Beatson-Bell* - - - - - - 12,159–61
- Particulars *re*, and as separate service from P.C.S., continuance advised *Beatson-Bell*, 12,123, 12,126–7, 12,146

Kayasthas, different classes, &c., *Sarvadhikari* 17,131–4

"King's Indian Cadets," system of recruitment analagous to, suggested, *Beatson-Bell* 11,830–1, 11,838–9, 11,877, 11,954–7, 12,010–2, 12,042–3

Krishna Kali Mukherji, evidence of - - 12,766–876

L.

Land Records, Director of (*see* Agriculture and Land Records).

Law:
- Better legal knowledge necessary in lower grades of I.C.S., *Sarvadhikari* - - - - - 17,039
- Different system in England, from continental countries and India, and remarks *re*, *Cuming* 16,278, 16,445–9
- HIGHER STUDY, RULES FOR ENCOURAGEMENT:
  - Advised, *Basu* - - - - 11,290; p. 554
  - not Advised, *De*, 10,369; *Beatson-Bell*, 11,887; *Cuming*, 16,274; *Macpherson*, 18,991.
  - Question of, and suggestions, *Cullis* - - - 18,556
- Indian codes, better learnt in India, *Macpherson* 18,982
- Indian, special study necessary, *Mahtab* - 13,119
- Instruction better in England, *Sinha*, 10,111; *De*, 10,359; *W. S. Milne*, 11,338; *Mitra*, 11,592; *Beatson-Bell*, 11,876; *Stephenson*, 15,559, p. 553,

Law—*continued.*
Instruction could be given in India, *Carnduff* 11,038
Knowledge of, necessary to Civil Servant, and more attention to, advised. *Carnduff*, 10,753, 10,761, 11,215; *W. S. Milne*, 11,312, 11,326.
Report of Training Committee agreed with, *Basu* 18,285
Standard of examination should be raised, *Sinha* 9843
Steps to improve efficiency suggested, *De*, 10,366; *W. S. Milne*, 11,344; *Beatson-Bell*, 11,884; *Mahtab*, 13,118; *Baikuntha Nath Sen*, 16,587, 16,630–4; *Sarvadhikari*, 17,039.
Study of English law more useful than Indian, *Carnduff* - - - - - - - 10,929–33
(*see also under* Course of Study *under* Probation *and under* Training *under* Judicial Branch.)

Leave, I.C.S.:
ALLOWANCES:
Maximum:
Abolition advocated, *Beatson-Bell* - - 11,909
Suitable, but minimum should be fixed, *Amritalal Mukherji* - - - - - - - 13,333
Unsatisfactory, and increase advised, *De*, 10,397; *Carnduff*, 10,763, 10,805; *W. S. Milne*, 11,355; *Stephenson*, 15,601, p. 564.
Minimum:
in India same as in England advocated, *De* 10,397, 10,401
Retention of 500*l*., and equivalent if paid in India, *Beatson-Bell* - - - - 11,909
Privileged rate of exchange:
Continuance advised, *De*, 10,396; *Stephenson*, 15,600; *Macpherson*, 19,010, p. 563.
Increase to 2*s*. suggested, *Stephenson* - 15,600
Suitable, *Cuming* - - - - - 16,309
Amount allowed for, numbers and distribution practically correct, and percentage approximates to actual conditions, and statements *re*, *Stephenson* 15,577, p. 558

DIFFERENTIATION BETWEEN EUROPEAN AND INDIAN SERVICES:
Suitable, *Beatson-Bell*, 11,946; *Mookerjee*, 12,207; *Cuming*, 16,312; *Macpherson*, 19,048.
not Suitable, *Abdul Majid*, 14,935, 14,947, 14,980–2; *Baikuntha Nath Sen*, 16,589.

ON FULL PAY (PRIVILEGE):
Abolition of, and arrangement for compulsory month each year, not advocated, and reasons, *Beatson-Bell*, 12,041; *Stephenson*, 16,217–9.
as Annual holiday, practice should be encouraged p. 563
All leave due not usually taken, *De* - - 10,393
Alteration *re* maximum advised - - p. 574
Four months at a time required, *Ali Ashraf* 12,623–8, 12,721–2
Limit of accumulation:
Amount earned should accumulate to five months before being allowed to lapse, *De* - 10,393
a Good deal lapsed formerly under, before combination with, privilege, *Macpherson* - 19,007
Increase not advocated, *Stephenson* - 15,597, p. 563
Total abolition of limit advocated, *Beatson-Bell* 11,905, 12,037–40
More taken since 1902 owing to combination with furlough, *Stephenson*, 15,596; *Macpherson*, 19,007, p. 562.
Privileged rate of exchange, change not advised, *Beatson-Bell* - - - - - 11,908
Rules, abolition of certain restrictions advised, *Ali Ashraf*, 12,764; *Stephenson*, 16,257.
Tabular statement, *Stephenson* - 15,596; p. 563
Usually taken, and in combination with furlough, *Stephenson* - - - - 15,597, p. 563

FURLOUGH:
Alteration suggested - - - p. 574, p. 579
Amount allowed for necessary, *De*, 10,394; *Beatson-Bell*, 11,906, p. 578.
Commutation of, to half amount as full pay, not advocated, *W. S. Milne*, 11,354; *Macpherson*, 19,012.

Leave, I.C.S.—*continued.*
FURLOUGH—*continued.*
Full amount due not always taken, and reasons, *De*, 10,394; *Carnduff*, 10,763; *Beatson-Bell*, 11,906; *Cullis*, 18,560.
Less taken owing to combination with privilege leave, since 1902, *Stephenson*, 15,596; *Macpherson*, 19,006, p. 562, p. 578.
One year after first 5 years' service, advocated, *Macpherson* - - - - - - - 19,012
Reduction of amount permissible:
not Advocated, *W. S. Milne*, 11,354; *Cullis*, 18,560.
of amount admissible at one time suggested, but retention of total amount, *Macpherson* - 19,008
Possible - - - - - - p. 563
Possible, if leave allowances are improved, *Stephenson* - - - - - - 15,598
Statistics *re*, and decrease in amount taken, *Stephenson* - - - 15,596, 15,598, p. 563

FURLOUGH ALLOWANCES:
no Change advised, *De* - - - - 10,395
Inadequate, and increase necessary, and suggestions, *Beatson-Bell*, 11,907, 11,915, 11,987–91, 12,039–40; *Stephenson*, 15,599, p. 563, p. 578–9.
Maximum of 1,000*l*.:
Abolition advised, *Beatson-Bell*, 11,907; *Cullis*, 18,561.
not Sufficient for officers in high posts, *Macpherson* - - - - - - 19,009
Minimum suitable, *W. S. Milne* - - 11,354
Privileged rate of exchange advocated in all cases subject to minimum, *Macpherson* - 19,009
Listed posts (*see that title*).
on Medical certificate, tabular statement, *Stephenson* 15,596, p. 563
Officer should be allowed to take all leave that is due, *W. S. Milne* - - - - - 11,356
Privilege (*see* on Full Pay *above*).
Reserve, recruitment of P.C.S. men instead of, would reduce strength of European trained service too much, *Stephenson* 15,885–9, 16,072–4

RULES:
Abolition of certain restrictions advised, *Carnduff*, 10,763, 11,304–6; *W. S. Milne*, 11,356–7, 11,399–402; *Beatson-Bell*, 11,911; *B. C. Mahtab*, 13,124; *Stephenson*, 15,603, 15,605; *Cullis*, 18,562, p. 579.
Cause of unnecessary transfers, *W. S. Milne*, 11,357; *Peters*, 13,801; *Stephenson*, 15,603.
no Inconvenience to administration and not sole cause of excessive transfers, *De* 10,399–400, 10,521–2
do not Press hardly on officers, with certain exceptions, *De* - - - - - 10,401
Simplification proposed by Government of India, *Stephenson* - 15,603, 15,605, p. 563, p. 564
Suggestion for "leave ledger" account referred to, and approved, *Hughes-Buller* - - 16,720
Several years' work without, not good, *Mookerjee* 12,341

SPECIAL, EXTRAORDINARY, &C.:
Alterations suggested, *Macpherson* - 19,012–3
Conditions suitable, and no complaints, *De*, 10,398; *Stephenson*, 15,602.
Tabular statement, *Stephenson* - 15,596, p. 563
Study leave (*see under* Judicial Branch, I.C.S.).

Leave, P.C.S.:
ALLOWANCES:
Maximum and minimum limits:
Maximum inoperative, *Stephenson* 15,648, p. 573
Minimum not unfair, *Stephenson* 15,648, p. 573
Suitable, *De*, 10,434; *Macpherson*, 19,046.
Suitable, except privilege leave, *Cuming* 16,308
Same amount to Indian spending privilege leave in England, as to European, advocated, *Abdul Majid* - - - - - - 14,947
Slight increase advised, *Crosse* - - 13,691

AMOUNT POSSIBLE:
Higher than formerly, but formerly very limited, and details, *Stephenson* 15,644, 15,646, p. 573
Suitable, *Stephenson* - - - 15,645, p. 573
Conditions suitable, *Ali Ashraf* - - - 12,586

Leave, P.C.S.—*continued.*
European members of P.C.S. might be allowed benefit of European rules and furlough pay two thirds, *Beatson-Bell* - - - - - 11,946
ON FULL PAY:
All not usually taken, and reasons, *Mitra*, 11,620; *Ali Ashraf*, 12,583; *Krishna K. Mukherji*, 12,788; *Crosse*, 13,553, 13,601–3, 13,646.
Allowed only in exceptional cases, *Cuming* 16,306
Amount which can be earned suitable, *Mitra*, 11,620; *Krishna K. Mukherji*, 12,788; *Macpherson*, 19,043.
Combination of, with furlough or medical leave without restriction *re* minimum period advocated, *Krishna K. Mukherji* - - - 12,791
Difficulty in obtaining, *Peters* - - - 13,780
Five weeks in year in Bengal and accumulation up to six months advocated, *Crosse* 13,553, 13,960
Full amount taken except in fear of transfer, *Stephenson* - - - - 15,645, p. 573
not Granted if inconvenient, *Stephenson* 15,650, p. 573
Limit of 3 months, a hardship, and suggestions, *Beatson-Bell*, 11,943; *Ali Ashraf*, 12,583, 12,587, 12,623–8.
More taken, combined with furlough, *Amritalal Mukherji* - - - - - - 13,329
Ought not to lapse, *Peters* - - - 13,780, 13,802
Practically only leave taken except leave on medical certificate, *Beatson-Bell*, 11,943; *Stephenson*, 15,650, p. 573.
Reasons for not taking holidays, *Amritalal Mukherji* - - - - - - - 13,386–9
sometimes Refused, and reasons, but not as often as formerly, *Amritalal Mukherji* - 13,390–2, 13,402
Refusal, due to under-staffing, *Stephenson* 15,756
Restrictions, alterations advised, *Mitra*, 11,620, 11,624; *Amritalal Mukherji*, 13,537–8; *Macpherson*, 19,043.
Taken as a rule, *Amritalal Mukherji*, 13,330, 13,502–9; *Peters*, 13,796.
FURLOUGH:
Amount due not usually taken, and reasons, *De*, 10,432; *Mitra*, 11,621; *Beatson-Bell*, 11,944; *Ali Ashraf*, 12,584; *Krishna K. Mukherji*, 12,789; *Amritalal Mukherji*, 13,331; *Crosse*, 13,554, p. 573; *Peters*, 13,796; *Stephenson*, 15,646; *Cuming*, 16,307.
Amount allowed for necessary, *De*, 10,432; *Mitra*, 11,621; *Amritalal Mukherji*, 13,331.
Article 338 might stand, *Beatson-Bell* - 11,944
in Europe desirable and suggestions *re* payment of passages by Government, *Crosse* - 13,555
Improvements suggested, *Macpherson* - 19,048
Increase advised rather than reduction, *Macpherson* 19,044
Maximum limit not desirable, *Crosse* - - 13,556
More taken than formerly, *Krishna K. Mukherji* 12,787
at Shorter intervals advocated, *Krishna K. Mukherji* 12,789
Six months after every 5 years' service up to maximum limit of 2 years advocated, *Mitra*, 11,621; *Ali Ashraf*, 12,584.
Total amount, *Stephenson* - - 15,646, p. 573
FURLOUGH ALLOWANCES:
Minimum for half average salary should be fixed, *Amritalal Mukherji* - - - - 13,332
Suitable, *De*, 10,433; *Mitra*, 11,622; *Ali Ashraf*, 12,585; *Krishna K. Mukherji*, 12,790; *Amritalal Mukherji*, 13,332; *Stephenson*, 15,647; *Macpherson*, 19,045, p. 573.
not Suitable, and one year of total furlough on full pay advocated, *Crosse* - 13,555, 13,604–5
Holidays necessary, but long leave preferred. *Amritalal Mukherji* - - - - 13,394–8
ON MEDICAL CERTIFICATE:
on Account of very arduous work or unhealthy district, increased allowance and extension of period advocated, *Mitra* - - - - 11,623

Leave, P.C.S.—*continued.*
ON MEDICAL CERTIFICATE—*continued.*
not Convenient, and abolition and addition of amount on half pay to amount allowed as furlough advocated, *Crosse* - - - 13,554
Restriction of amount undesirable, *Stephenson* 15,646, p. 573
Rule prohibiting, after 55 years of age, removal of, advised, *Krishna K. Mukherji* - - 12,791
Three fourths of pay advocated, *Peters* - 13,796
combined Medical and privilege leave, restriction to not less than six months, objected to, *Mitra* 11,624
More taken than formerly, and reasons, *Mitra*, 11,619; *Ali Ashraf*, 12,582; *Krishna K. Mukherji*, 12,787.
Privilege (*see* on Full Pay *above*).
RESERVE:
Added in 1899, *Stephenson* - - - 15,640
Adequate, *Mitra* - - - - - - 11,604
no Complaints *re*, and particulars of system, *Stephenson* - - - - - - 15,631
Practically none, *Peters* - - - 13,780
RULES:
Assimilation for two branches desirable, *Banerjea* 15,158
Cause of transfers, *Amritalal Mukherji* 13,335–6, 13,350–2, 13,392–3
not Cause of excessive transfers, *De*, 10,437; *Stephenson*, 15,651; *Cuming*, 16,311, p. 573.
Hardship caused by, and removal of certain restrictions advised, *Carnduff*, 11,304–6; *Beatson-Bell*, 11,946; *Mahtab*, 13,131–2; *Peters*, 13,800; *Stephenson*, 15,652, 15,755, p. 574.
no Inconvenience caused, *De*, 10,436, 10,438; *Stephenson*, 15,650; *Cuming*, 16,310, p. 573.
SPECIAL, EXTRAORDINARY, &c.:
Alteration of rules for emergencies advised, *Macpherson* - - - - - - - 19,047
Restrictions inconvenient and abolition advised, *Cuming* - - - - - - 16,309
Suitable, *Amritalal Mukherji*, 13,334; *Peters*, 13,799; *Stephenson*, 15,649, p. 573.
Vacancies, difficulty *re*, *Beatson-Bell* - - 11,939

Legal Remembrancer:
Indians rarely appointed, and question of, *Carnduff* 10,757, 10,940–1, 11,010–2
PERSONAL ASSISTANT:
Appointment of munsif not objected to, if fit, *Cuming*, 16,551–2; *Cullis*, 18,747.
Appointment of sub-judge advised, *Sarvadhikari* 17,223

Lieutenant-Governors:
Membership of Viceroy's Council should not be step to post of, *Carnduff*, 11,049–52; *Hughes-Buller*, 16,726.
Post should be held by Englishman, *Shorrock* 14,558, 14,628
Special pension advocated, *Beatson-Bell*, 11,913, 11,917; *Stephenson*, 15,610; *Hughes-Buller*, 16,723, 16,891–3.

Listed Posts:
ABOLITION:
Advocated, *De* - 10,345, 10,392, 10,402, 10,424, 10,431, 10,442, 10,614–6
Claim might be given up if posts directly open to Indians in I.C.S. increased, *Sinha* - 10,079–82
Effect on P.C.S., *Sinha*, 10,076–80; *Mitra*, 11,711–4.
with Incorporation of posts in I.C.S. advocated, *Abdul Majid* - - 14,952, 15,004–5, 15,030–1
Question of compensation, *Sinha*, 10,248, 10,265; *De*, 10,478, 10,614; *Amritalal Mukherji*, 13,496–8, 13,539–41.
Separate examination would logically result in, but double system possible, *Macpherson* - 19,060–3
if Simultaneous examinations introduced:
Advocated, but care in selection necessary, and margin of eight posts, *Gupta* 17,896, 17,930, 18,100–1, 18,245–7
Desirable, *Sinha*, 9817, 9895–7; *De*, 10,325, 10,477, 10,614–5, *Mookerjee*, 12,171; *Krishna K. Mukherji*, 12,826–7.

Listed Posts—*continued.*
AGE OF PROMOTION TO:
After 8 or 10 years' service better than present system, but would not equalise position even if pay same as in I.C.S., *Sinha* - - 10,216–27
Average age, *Ghose* - - - - - 13,986–7
Earlier age desirable, and suggestions *re* training, *Sinha*, 9831, 9898, 9935, 10,102–6, 10,249–51, 10,299–309; *Carnduff*, 10,756, 10,803–4, 11,045–6; *W. S. Milne*, 11,551; *Beatson-Bell*, 11,862, 12,157–8; *Ghose*, 13,917, 13,984–7; *Abdul Majid*, 14,925, 14,986–7, 14,990–3, 15,030, 15,070–3; *Stephenson*, 15,535, 15,637, 15,809–20, 15,836; *Baikuntha Nath Sen*, 16,577; *Hughes-Buller*, 16,695; *Chaudhuri*, 17,587–90; *Basu*, 18,264, 18,301, 18,413; *Cullis*, 18,549; *Macpherson*, 19,106–9, 19,208–9; p. 571.
Officers from judicial side appointed later than executive men, and consequently not so efficient, *De* - - - - - - - - - 10,557
Question of, *Gupta* - - - 17,896, 18,248
All, not filled up by members of P.C.S., *Sarvadhikari*, 17,168–72, 17,177; *Chaudhuri*, 17,376, 17,448–9, 17,581–90; *Basu*, 18,301.
Alteration suggested, *Cullis* - - 18,080, 18,549
Certain posts not regularly filled by Indians, *Mitra* 11,584

CLASS OF POSTS:
Suitable, *Sinha*, 9834; *Mitra*, 11,587–8, 11,608, 11,804; *Beatson Bell*, 11,861; *Mookerjee*, 12,187; *Braithwaite*, 14,235; *Macpherson*, 18,968, p. 552.
System, particulars *re*, and revision advised from time to time, *Stephenson* - - - 15,543
Class representation may be secured by careful selection for, *Fazlul Huq* 12,883, 12,990–1, 13,040
Executive posts preferred to administrative, unless in exceptional cases, *McLeod* - 17,704, 17,743–7
Explanation *re* use of term, *Mahtab* - 13,224–5
Furlough in England advocated on promotion of officer to, *Mookerjee* 12,179, 12,184, 12,199, 12,227, 12,286–9, 12,529, 12,537–47
General inquiry advised, *Mahtab* - - - 13,112

INCREASE:
Advocated, and suggestions, *Carnduff*, 10,817, 11,284; *Krishna K. Mukherji*, 12,776, 12,812–3, 12,843–4; *Mahtab*, 13,298–300; *Peters*, 13,778, 13,852–4, 13,864–73; *Banerjea*, 15,130, 15,185–90, 15,215, 15,301, 15,437–40; *Stephenson*, 15,692, 15,699–705, 15,803, 15,967–73, 16,031–4, 16,146; *Sarvadhikari*, 17,168–72, 17,177; *W. P. Milne*, 17,239; *Basu*, 18,273, 18,301, 18,313; *Cullis*, 18,657–60, 18,747–50; *Macpherson*, 19,007–1, 19,075–6, 19,105, 19,207.
Advocated if no alteration in scheme of I.C.S., *Sinha* - - - - - - - - 10,272
not Advocated, *Braithwaite*, 14,229, 14,233, 14,268–9; *Gupta*, 17,896, 18,249–50.
Local governments should decide on number, and make arrangements *re*, *W. S Milne*, 11,320, 11,322
Number increased in 1892, *Amritalal Mukherji* 13,323
Number sufficient for rewarding meritorious service, and promotion in P.C.S. had in ordinary way, *Amritalal Mukherji* - - - - 13,452
One quarter of superior posts suggested, *Mitra* 11,579–80, 11,608, 11,639

INFERIOR:
Arrangements *re*, *Stephenson* - - 15,874–5
Merging in P.C.S.:
Approved, *Sinha*, 9833; *Mookerjee*, 12,186; *Amritalal Mukherji*, 13,320; *Braithwaite*, 14,234; *Sarvadhikari*, 17,028; *Macpherson*, 19,034.
not Approved, *De*, 10,343, 10,425, 10,507–12; *Mitra*, 11,586, 11,609; *Beatson-Bell*, 11,860; *Ali Ashraf*, 12,572; *Krishna K. Mukherji*, 12,777; *Crosse*, 13,566–9; *Banerjea*, 15,129, 15,483; *Cullis*, 18,549, 18,586–8.

Listed Posts—*continued.*
INFERIOR—*continued.*
Merging in P.C.S.—*continued.*
no Meaning in inferior listed posts, as all inferior posts practically belong to P.C.S., *Stephenson* - - 15,542, 15,708–11, p. 552
None merged in Judicial Branch, P.C.S., *Cuming* 16,296
Officers doing work do not always know they hold listed post, and question of pay, *Beatson-Bell* 12,021–5
Judicial Branch (*see under* Judicial Branch *and* Judges, District and Sessions).
Least responsible appointments suggested, *Gupta* 17,896, 17,933

LEAVE:
Rules same as in P.C.S., and no differentiation needed, *Stephenson* - - - - 15,606
on Same footing as I.C.S. advocated, *Beatson-Bell*, 11,912; *Abdul Majid*, 14,935.
Separate rules necessary, *Sarvadhikari* - 17,048
Lists with particulars, *Stephenson* 15,539, 15,838–41, p. 549–51
Number and proportion held by judicial and executive branches respectively, *Amritalal Mukherji*, 13,445–9; *Cullis*, 18,651–4.
Number of Indians recruited for, question of, and of carrying out spirit of Act of 1870, and history of system, *Stephenson* - - - - - 15,926–66
Number of Indians in, *Gupta* - - - 17,896
Officers in superior posts in excess of number listed p. 549
if Officer suitable to occupy certain posts any other post should be open provided he is competent, *Abdul Majid* - - - - - - 14,930

OFFICERS OF P.C.S. HOLDING:
Best men not selected, and men selected not satisfactory, *De* - - - - - 10,479–82
Comparison with members of I.C.S., *De*, 10,345, 10,513–7, 10,726–38; *Carnduff*, 10,759; *W. S. Milne*, 11,325, 11,552–4; *Mitra*, 11,588, 11,816–7; *Beatson-Bell*, 11,862; *Peters*, 13,761; *Stephenson*, 15,554, 15,779; *Hughes-Buller*, 16,698; *Macpherson*, 18,969, 19,215.
Unsatisfactory possibly on account of late age of appointment, *Milne* - - - - 11,551

PAY:
Difference in two branches, *Carnduff*, 11,286; *Cuming*, 16,549; *Cullis*, 18,743–4.
Equal to pay of I.C.S. advocated, *Beatson-Bell*, 11,904, 12,019–25; *Mookerji*, 12,197; *Fazlul Huq*, 12,905, 19,914; *Crosse*, 13,552; *B. N. Sen*, 16,588; *Chaudhuri*, 17,386.
Equal to pay of I.C.S., but foreign service allowance to I.C. Servants holding, advocated, *Banerjea* - - - - - 15,146, 15,508
Four fifths of pay of I.C.S., as minimum advised, *Peters* - - - 13,778 13,795, 13,819–22
Regulation for members of P.C.S. without reference to pay of I.C.S., and sufficient to attract ambitions of best men advocated, *Stephenson* - - - - 15,595, 16,253–5
Three fourths advocated, *Krishna K. Mukherji*, 12,786; *Sarvadhikari*, 17,047, 17,059, 17,152–8; *W. P. Milne*, 17,239, 17,267–72.
Two-thirds rule:
Approved, *Sinha*, 9862, 9947; *W. S. Milne*, 11,353; *Mitra*, 11,818–28; *Ali Ashraf*, 12,581; *Mahtab*, 13,123, 13,130; *Amritalal Mukherji*, 13,328; *Chaplin*, 14,788; *Banerjea*, 15,507–10; *Cuming*, 16,305; *Hughes-Buller*, 16,719; *Basu*, 18,297, 18,303, 18,432–44; *Cullis*, 18,559; *Macpherson*, 19,005, 19,042, 19,114–6; p. 562.
Approved, with full local allowance for appointment, *Mitra* - - - - - 11,618
not Approved, and difficulty of living in European style and sometimes pay less than two thirds, *Abdul Majid* - - - - 15,092–106
Basis of rule as regards officer of statutory service, and equitable, *Stephenson* - 15,595

Listed Posts—*continued.*
PENSIONS:
  Additional Rs. 1,000 advocated, *Krishna K. Mukherji*, 12,794; *Stephenson*, 15,615, 15,655; *Cuming*, 16,316, 16,485–7; *Basu*, 18,304; *Macpherson*, 19,051.
  Additional to suit position last held advised, *W. P. Milne* - - - - - - - - 17,240
  should be Based on salary of last year served, not on average of last three years, *Macpherson* 19,051
  no Criticism of rules, *Beatson-Bell* - - 11,922
  Half average pay of last five years, and not less than Rs. 500 a month, *Chaudhuri* - - 17,399
  Retirement on half pension advocated, *Peters* 13,805
  not Satisfactory, and maximum limit of Rs. 500 or half average salary advocated, *Amritalal Mukherji* - - - - - - - - 13,341
  System satisfactory, *Ali Ashraf* - - - 12,591
POSITION AND STATUS:
  Officers should enjoy same, as members of I.C.S., *Sinha*, 9831, 10,046–52, 10,287–98, 10,313; *Mitra*, 11,608, 11,643–4, 11,805–6; *Crosse*, 13,576–7; *Peters*, 13,823; *Macpherson*, 19,113–4.
POWER TO APPOINT ONE QUARTER FROM OUTSIDE P.C.S.:
  Approved, *Sarvadhikari* - - - - 17,027
  Approved, subject to conditions, *Mookerjee*, 12,185; *Mahtab*, 13,111.
  not Approved, *Banerjea*, 15,128; *Baikuntha Nath Sen*, 16,578.
  should be Exceptional, *Carnduff*, 10,785–6; *Mitra*, 11,585.
  Local Government should not be pressed to use, *Beatson-Bell* - - - - - 11,859
  Rarely used - - - - - - - p. 551–2
  Rarely used, but retention advised, *Sinha*, 9832, 10,078; *Stephenson*, 15,541, 15,694–7.
Preference to Indians over domiciled Europeans and Anglo-Indians, alleged, *Braithwaite* 14,372–3
PROBATION IN ENGLAND:
  Advocated before taking up appointment and with allowance, *Mookerjee* - - - 12,224–8
  not Necessary, but residence in England in connection with course of special study desirable, *Basu* - - - - - - 18,286
PROMOTION TO:
  Age, *see that title above.*
  by Selection:
    Approved, *Crosse* - - - 13,545, 13,565
    at present, *Stephenson*, 15,637, p. 571; *Cuming*, 16,293, 16,295.
    from Higher grades only of P.C.S. advocated, *Crosse* - - - - - - 13,551
    Selection from judicial branch unsatisfactory, and suggestions, *Chaudhuri* - 17,376
    by Seniority, preferred, *Sinha* - 9899–900
    should be Supplementary to simultaneous examinations, *Banerjea* - - - 15,185–6
Promotion from collectorship to commissionership not always necessary or possible, but could be made if necessary, *Stephenson* 15,821–35, 16,112–7
Promotion to some posts of rare occurrence, and should be increased, *Mahtab* 13,123, 13,298–300
for P.C.S. only advised, *W. P. Milne* - 17,239
Question of equal treatment, *Abdul Majid* 15,043–5
Question of sufficiency, *Amritalal Mukherji* 13,441–62
Readjustment desirable, *Mahtab* - - 13,110
Reduction in number, question of effect on recruitment for P.C.S., *Krishna K. Mukherji* 12,826–8
Reservation of certain posts advised, *Crosse* 13,545, 13,565–9, 13,706–9
Retention of a few only suggested, if scheme for recruiting more Indians to I.C.S. adopted, *Mitra*, 11,711–4; *Mookerjee*, 12,179, 12,184, 12,224–6, 12,273–80; *Banerjea*, 15,185–90, 15,301.
Retention advised in certain circumstances, *Ghose* 13,903, 13,970
Retirement at 55 not advised for, *Crosse* 13,735–7
Statements in appendices correct, *Mitra*, 11,583; *Stephenson*, 15,538, p. 549.

Listed Posts—*continued.*
SYSTEM:
  Details, *Abdul Majid* - - - 15,003, 15,006
  Satisfactory, *W. S. Milne*, 11,382; *Mitra*, 11,568, 11,815; *Beatson-Bell*, 11,961–2; *Fazlul Huq*, 12,885, 12,893; *Amritalal Mukherji*, 13,319, 13,441–52; *Banerjea*, 15,125; *Cuming*, 16,295; *Macpherson*, 19,033.
  Satisfactory, subject to conditions, *Ali Ashraf*, 12,571, 12,608–9; *Braithwaite*, 14,233, 14,372–3; *Sarvadhikari*, 17,026.
  Unsatisfactory, reasons, and suggestions, *Sinha*, 9831, 9898, 10,249–51; *Mookerjee*, 12,179, 12,184, 12,199, 12,224–6, 12,286, 12,537; *Crosse*, 13,545, 13,565–9; *Ghose*, 13,917, 13,984–7; *Abdul Majid*, 14,944; *Baikuntha Nath Sen*, 16,577; *Basu*, 18,264, 18,413.
Training of promising young officers for, schemes and suggestions, *Carnduff*, 10,756, 10,804, 11,045–6; *Ali Ashraf*, 12,572; *Stephenson*, 15,535, 15,803–20, 16,147–51; *Basu*, 18,264; *Cullis*, 18,549.
Usually filled by Indians, with certain exceptions, and details, *Stephenson* - 15,539, 15,540, 15,693
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Litigation, increase of, *Cuming*, 16,556; *Cullis*, 18,752.

M.

Macaulay, Lord, Committee, principles laid down by:
  Accepted, *De*, 10,331; *W. S. Milne*, 11,318, 11,332; *Mitra*, 11,575; *Beatson-Bell*, 11,848, 11,870; *Peters*, 13,757; *Stephenson*, 15,528, 15,553; *Cuming*, 16,265; *Hughes-Buller*, 16,691, 16,703; *Basu*, 18,270; *Macpherson*, 18,959, 18,976, p. 252, p. 547.
  not Accepted, *De* - - - - - 10,353

McLeod, Norman, evidence of - - - 17,701–895

Macpherson, Duncan James, C.I.E., I.C.S., evidence of - - - - - - - - 18,943–19,359

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Magisterial work of district, particulars *re*, *Amritalal Mukherji* - - - - - - 13,470–89

Magistrates:
  First class in each sub-division in addition to subdivisional officer advocated, *Peters* 13,779, 13,809, 13,874–8
  Functions in Assam, munsif's work as well as magistrate's, *Abdul Majid* - - - 15,076
  Invested with higher-class powers to relieve work of collector occasionally, *Gupta* 17,978, 18,235–7

Magistrates, Assistant:
  Europeans appointed, and consequent dissatisfaction among Indians, *Fazlul Huq* - 13,001
  Grading, &c., alterations suggested, *Crosse* 13,545, 13,639–40
  Increase in number advocated, *Mahtab* 13,099, 13,122, 13,159
  Officer of P.C.S. holding post of, prefers to have title of, *De* - - 10,343, 10,425, 10,507–12
  PAY:
    Alterations suggested, *De*, 10,380; *Macpherson*, 18,995, 18,998.
    Particulars, *Stephenson* - - 15,584, p. 560
  Promotion to Joint, and subsequently District Magistrate follows from post of, *De* - 10,510–1
  Proportion of posts open to Indians should be decided on, *Mahtab* - - - - 13,097

Magistrates, Deputy:
  in Charge of districts, allowance in consideration of arduous work advocated, *Peters* - - 13,809
  Courts sit permanently at headquarters, and never go touring, *Amritalal Mukherji* - - 13,503–6
  Doing judicial work, placing under district judges recommended, *Abdul Majid* - - 14,943
  Exercise functions of munsif in Assam, *Chaudhuri* 17,468–9

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  Higher appointments among, more than among munsifs, *Krishna K. Mukherji* - - - 12,869
  Increase in number advocated, *Krishna K. Mukherji*, 12,820
  Leave taken, and amount: method of spending, *Amritalal Mukherji* - - - - 13,507–11
  Length of service necessary to get promotion to higher grades, *Mookerjee* - - - - 12,204
  Listed, do not always know they hold listed post, and question of pay, *Beatson-Bell* - 12,021–5
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  PAY:
    Average, *Crosse* - - - - - - 13,743
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  Promotion to assistant sessions judges for criminal part of work advocated, *Peters* 13,862–73, 13,894–5
  should be Required to do civil work under scheme, *Abdul Majid* - - - - 14,943, 15,021–5
  Reduction in number advocated if new service for Indians introduced, *Mahtab* - - - 13,099
  Travelling allowance, first class advocated, *Peters*, 13,809, 13,828–30, 13,892; *Stephenson*, 16,248.
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  Increase in number advocated, *De*, 10,376; *Mahtab*, 13,099, 13,122, 13,159.
  Officer of P.C.S. filling post of, prefers to have title of, *De* - - - - 10,343, 10,425, 10,507–12
  Proposal to create grade of Rs. 1,200, effect on promotion, *Stephenson* - - - - 16,048–9
  Pay, alterations suggested, *De*, 10,380; *Macpherson*, 18,998–9.
  Promotion by seniority to first grade of, *Stephenson* 15,582
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  Temporary excess allowed to provide sufficient junior civilians, *Stephenson* - - - 15,575, p. 558

Magistrates, Presidency, no difficulty in recruiting from practising barristers, *Ghose* - 14,210, 14,213

Magistrates, Sub-deputy:
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  in Same service as deputy collectors advocated, *Beatson-Bell* - - - - - - - 12,124

Magistrates, Sub-divisional:
  Possible effect of taking away criminal powers, *Sinha* 10,156
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Mahtab, Sir Bijay Chand, K.C.S.I., K.C.I.E., I.O.M., evidence of - - - - - - - 13,092–303

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Medical attendance:
  Free, to wives and families of officers of P.C.S. by civil surgeon advocated, *Crosse* 13,560, 13,615–21, 13,697
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  Experience of work of, and favourable impression, and sympathetic attitude of, *Beatson-Bell* 11,855–6
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  RECRUITMENT:
    Advised for 90 per cent. of posts in political department, *Mahtab* - - - - 13,108
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  Ability and work of, *Beatson-Bell*, 12,107–17: *Fazlul Huq*, 12,979–85, 13,066–7; *Mahtab*, 13,171, 13,245–67; *Banerjea*, 15,257–67; *Stephenson*, 16,160–3; *Macpherson*, 18,945, 19,172–3, 19,301–7.
  Cases of Muhammadan offenders tried by, if not by European in Mymensingh riots, *Beatson-Bell* 12,054–5, 12,059–60
  Distinguished service in Native States, *Fazlul Huq* 13,071–3
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  Recruitment by open competition, question of, and results, *Beatson-Bell*, 12,085–8, 12,103–5; *Ali Ashraf*, 12,664–70, 12,744–55; *Fazlul Huq*, 13,053–4, 13,059–65, 13,071–4; *Basu*, 18,360–2, 18,472–4; *Macpherson*, 18,945.
  Recruitment by simultaneous examination, question of, *Fazlul Huq*, 12,881, 12,921–2, 12,957–9, 12,989; *Ghose*, 13,900, 14,063.

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- **Munsifs:**
  - Abolition of power to try suits up to Rs. 5,000 advocated, *Krishna N. Chaudhuri* - - 17,500–2
  - ACTING ASSISTANT SETTLEMENT OFFICERS:
    - Longer deputation advised, *Beatson-Bell* 12,162–3
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  - Capability of, and pure administration, high opinion, *Banerjea*, 15,236–7, 15,486; *Chaudhuri*, 17,385.
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  - Criminal experience necessary, *Baikuntha Nath Sen* 16,593, 16,635–7
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    - Age on reaching Rs. 500 grade, *Chaudhuri* 17,683
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    - Complaints and recommendations, and question of confidential reports, *Carnduff* - - 10,900–5
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    - Increase advised and details, and question of, *Carnduff*, 11,291–3; *Mookerjee*, 12,553–5; *Cuming*, 16,319; *Baikuntha Nath Sen*, 16,597; *Chaudhuri*, 17,644–54.
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    - Regrading advised and increase of pay and details, *Abdul Majid*, 14,945, 15,088–90; *Chaudhuri*, 17,380, 17,453–62, 17,672–85; p. 573, p. 574, p. 575.
    - Regrading, &c., scheme under consideration, *Cuming* - - - - - - - 16,450–4
    - Retention of grade of Rs. 500 advised, *Cuming* 16,319
    - Time-scale advocated, *Krishna K. Mukherji* 12,861–2
  - Pension, relaxation of rule *re* 25 years advised if age limits retained, *Cullis* - - - 18,745–6
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    - Progress of, comparison of and pay, &c. with deputy magistrate, *Krishna K. Mukherji*, 12,870–6; *Banerjea*, 15,503–4.
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  - RECRUITMENT—*continued.*
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    - Suggestions - - - - - - - p. 575
    - System satisfactory, *Sinha* - - - 10,312
  - Reports on work of, by district judge, *Carnduff* 10,829
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    - Hard work, complaints *re*, *Banerjea* - - 15,152
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- **Mymensingh riots**, *Beatson-Bell* 12,048–55, 12,059–61

N.

- **Natives of India** (*see* Indians).
- **Nomination** (*see under* Recruitment).

O.

- **Official residences** (*see* Housing Accommodation).
- **Open Competition in England** (*see* Indian Civil Service Examination).
- **Oriental Languages:**
  - RULES FOR ENCOURAGEMENT OF STUDY:
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    - Rewards not approved of, and considered kind of "pot-hunting," *Beatson-Bell* - - - 11,883
    - Rules suitable, *W. S. Milne*, 11,342–3; *Macpherson*, 18,987.
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- **Overwork**: (*see* Insufficiency of Staff).

P.

- **Palit, Sir Taraknath,** donation to Calcutta University, and use of, *Thibaut* - - 18,817–20, 18,863
- **Pay, I.C.S.:**
  - Acting allowances, system satisfactory, and no complaints, and particulars, *De*, 10,385; *Stephenson*, 15,590; *Macpherson*, 19,002, p. 562.
  - Adequate, *W. P. Milne* - - - - - 17,239
  - Allowance to European officers recruited in England advocated, *Mitra* - - - - - 11,595
  - Differences of conditions in the provinces should be considered, and local allowances suggested, *W. S. Milne*, 11,529; *Stephenson*, 15,586.
  - Distinction between judicial and executive branches invidious and unnecessary, and suggestions *re*, *De* - - - - 10,380, 10,626–8
  - European standard not necessary for Indians, and would be too expensive, *Cullis* 18,539, 18,695–7

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on Transfer, inadequate - - - - p. 580

UNIFORMITY:

Desirable, *De*, 10,382; *W. P. Milne*, 17,239; *Beatson-Bell*, 11,889.

Similarity of work not only criterion, and district should be considered, *Milne* - 11,350, 11,529

Unnecessary, but high appointments in three presidencies should receive equal pay, *Stephenson* 15,587

Unnecessary, *Macpherson* - - - - 19,009

Pay, P.C.S.:

Acting allowance advocated, with officiating promotions, *Amritalal Mukherji* 13,325, 13,356–7, 13,364–8

Adequate to secure proper qualifications, *Cuming* 16,300

Adequate, with some alterations, *Beatson-Bell*, 11,968; *Amritalal Mukherji*, 13,324; *Stephenson*, 15,641; *Macpherson*, 19,037, 19,219.

Adequate to secure qualifications necessary, owing to lack of openings for educated young men, *Peters* 13,789

ADJUSTMENT ON PRINCIPLE RECOMMENDED BY PUBLIC SERVICE COMMISSION OF 1886–87:

in Accordance with importance of service advised, *Peters* - - - - - - - 13,787

Alterations, details of, *Stephenson* 15,640; p. 572

Pay, P.C.S.—*continued.*

ADJUSTMENT ON PRINCIPLE RECOMMENDED BY PUBLIC SERVICE COMMISSION OF 1886–87—*continued.*

Due regard to salary necessary for officer to live according to position, advised, *Sinha*, 9860; *Mitra*, 11,611; *Beatson-Bell*, 11,937; *Mookerjee* 12,206, 12,530; *Krishna K. Mukherji*, 12,779.

Principle approved, *Mitra*, 11,611; *Ali Ashraf*, 12,574; *Fazlul Huq*, 12,912; *Amritalal Mukherji*, 13,322; *Banerjea*, 15,155; *Stephenson*, 15,639; *Cuming*, 16,298; *Macpherson*, 19,036, p. 571.

Principle sound, but not only necessary consideration, *Sarvadhikari*, 17,057; *Chaudhuri*, 17,378.

Principle suitable, but has not been followed, *Crosse* - - - - - 13,547, 13,712–3

Assimilation of two branches desirable, *Peters*, 13,787; *Banerjea*, 15,156, 15,159.

Average rates, in Bengal, Madras and Bombay, *Crosse* - - - - - - - 13,547

Charge allowance, practice of engineering department advised, *Mitra* - - - - - 11,617

Extra allowance to officers posted in unhealthy districts advocated, *Peters* - - 13,809, 13,836–40

House allowance advocated, *Mitra* 11,627, 11,659–63

Inadequate and revision necessary, *Sinha*, 9860; *De*, 10,428, 10,721; *Carnduff*, 10,773; *Mitra*, 11,613, 11,784–6, 11,810; *Mookerjee*, 12,206, 12,280, 12,526–30, 12,553–5; *Ali Ashraf*, 12,576, 12,594, 12,610–6, 12,723–4; *Krishna K. Mukherji*, 12,781, 12,814–5; *Fazlul Huq*, 12,913; *Mahtab*, 13,129, 13,293, 13,302; *Crosse*, 13,560, 13,574–5, 13,587–9, 13,639–40, 13,688; *Peters*, 13,771, 13,782–4, 13,787; *Ghose*, 13,940–1, 13,999–400; *Braithwaite*, 14,375; *Stephenson*, 16,235–45; *Cuming*, 16,319; *Baikantha Nath Sen*, 16,597, 16,675; *Sarvadhikari*, 17,062; *W. P. Milne*, 17,240; *Gupta*, 17,896; *Basu*, 18,302.

Last general reorganisation, date and unsatisfactory results, *Mitra*, 11,612; *Ali Ashraf*, 12,575; *Krishna K. Mukherji*, 12,780, 12,847.

Maximum not satisfactory and suggestions, *Mahtab*, 13,195–8, 13,294–5; *Peters*, 13,771.

Minimum, raised recently, *Mitra* - - 11,655

Rates in Bengal less than in other districts, and do not attract men of same qualifications, and disadvantage of, *Crosse* 13,547, 13,570, 13,712–3

Rearrangement of grading, but not complete, *Mitra* 11,655–6

Regrading required more than rise of pay, *Carnduff* 11,288

TIME-SCALE:

Advocated, *Carnduff*, 10,773; *Ali Ashraf*, 12,578, 12,617–9; *Banerjea*, 15,502; *Sen*, 16,676; *Basu*, 18,302, 18,532.

Advocated, for lower grades, *Mitra*, 11,615–7; *Krishna K. Mukherji*, 12,783, 12,785, 12,829–32; *Amritalal Mukherji*, 13,326; *Crosse*, 13,550–1, 13,572–3, 13,645; *Peters*, 13,771, 13,792–4, 13,879–84; *W. P. Milne*, 17,240, 17,321–4; *Chaudhuri*, 17,382–3, 17,385, 17,499, 17,591–3; *Macpherson*, 19,039, 19,041.

not Advocated, *De*, 10,430; *Stephenson*, 15,643, p. 573.

Charge allowance under a system of, not advised, *Amritalal Mukherji* - - - - 13,327

if Introduced should not be confined to lower grades, *Beatson-Bell* - - - - 11,940

Question of different scale for two branches does not arise as branches distinct, *Cuming* - 16,304

Separation into classes, question of, *Macpherson* 19,040

Similar to scale fixed for Provincial Service of P.W. Department advised, if increase in higher appointments not made, *Ali Ashraf* 12,580

Travelling allowance, first class, advocated, *Krishna K. Mukherji*, 12,796, 12,833–6; *Crosse*, 13,560, 13,698; *Peters*, 13,809, 13,828–30; *Stephenson*, 16,248.

Pensions, I.C.S.:

Annuity system, history, *Stephenson* - - 15,609

Anomalies, &c. - - - - - - p. 578

Commutation should be possible, *Hughes-Buller* 16,725, 16,770–2, 16,795–7, 16,955–64

Pensions, I.C.S—*continued.*

- Comparison with other services, *Carnduff* 10,764–5, 10,806–7, 10,906, p. 577
- 4 PER CENT. DEDUCTION:
  - Abolition advised, *Macpherson* 18,998, 19,014–15, 19,085, p. 577–8
  - Actuarial examination *re* payments by members desirable, *Stephenson,* 15,609, 15,746–8, 16,058, 16,215–6; *Hughes-Buller,* 16,722, p. 564.
  - Amount, *De,* 10,569–70; *Cullis,* 18,734.
- EQUAL ANNUITIES:
  - Approved, *De,* 10,406–7; *W. S. Milne,* 11,358–9, 11,414–23; *Hughes-Buller,* 16,721; *Beatson-Bell,* 11,913; *Stephenson,* 15,607; *Cullis,* 18,563; *Macpherson,* 19,014, p. 564.
  - not Approved and suggestions, *W. P. Milne* 17,239
- Improvement, if any, should take form of increase of annuity, *Stephenson* - - - - - - 15,608
- Increase for every year's active service after full pension earned advocated, to retain services of best men, *De* 10,403, 10,405, 10,490–4, 10,567, 10,630
- Increase to 1,500*l.* advocated, *Beatson-Bell* 11,915, 11,998, 12,001
- Listed posts (*see under* Listed Posts).
- on Medical certificate, not entirely satisfactory and improvements suggested, *Carnduff,* 10,766, 11,216–7; *W. S. Milne,* 11,361; *Mitra,* 11,625; *Stephenson,* 15,612; *Cullis,* 18,567; *Macpherson,* 19,019; p. 564, p. 579–80.
- NON-CONTRIBUTORY SYSTEM:
  - 1,000*l.* advocated, *Carnduff,* 11,047–8, 11,233–5; *Hughes-Buller,* 16,722; *Cullis,* 18,563, 18,593–4.
  - Acceptable, if maximum and minimum same as now, *De* - - - - - - - 10,404
  - of Actual amount paid by Government fairer but less attractive, *Carnduff* - - - 11,236–45
  - Rates suggested, *De* - - - - - - 10,408
  - Varying with salary not advocated, *W. S. Milne,* 11,358; *Beatson-Bell,* 11,914, 11,918; *Stephenson,* 15,608.
- Officers start pensionable service later, and effect on promotion, *Stephenson* - - - - - 15,586
- REDUCED:
  - for Accidental incapacity, rules approved, *De* 10,409
  - for Inefficient officers:
    - Advocated, and rates suggested, *W. S. Milne,* 11,360; *Mitra,* 11,626, 11,657–8; *Stephenson,* 15,611, 15,729; *Hughes-Buller,* 16,714, 16,724; *Cullis,* 18,566; *Macpherson,* 18,996, 19,018, p. 560, p. 564, p. 571, p. 579.
    - System dangerous, and pension not lower than on medical certificate advised, *Beatson-Bell* 11,919
- Relaxation of rule *re* 25 years' service necessary if age limits not altered, *Cuming* - 16,314, 16,550
- SPECIAL, FOR HIGH POSTS, &c.:
  - Advocated, and details, *Carnduff,* 10,764–5; *Hughes-Buller,* 16,721, 16,723, 16,891–3; *Cullis,* 18,564–5; *Macpherson,* 19,017; p. 564, p. 519.
  - not Advocated, with exception of Lieutenant Governor, and reasons, *Beatson-Bell,* 11,913, 11,916; *Stephenson,* 15,607, 15,610.
  - Not advocated, *W. S. Milne* 11,358–9, 11,414–23
  - Preferential treatment for judges of High Court not approved, *De* - - - - - - 10,406
- for Voluntary retirement after 15 years' service, rate suggested, *Crosse* - - - 13,558, 13,579–84

Pensions, P.C.S.:

- for Families of members of P.C.S. (*see* Family Pension Fund *and also* Provident Fund).
- Full, period of service, reduction from 30 to 25 years advocated, *Mitra* - - - - - 11,625
- Grievance *re* losing first two years based on misunderstanding, *Stephenson* - - 16,246–7
- Improvements suggested, *Amritalal Mukherji* 13,339, 13,353–5, 13,403–7
- Maximum insufficient, and increase to Rs. 6,000 suggested, *Crosse* 13,557, 13,578, 13,647–9, 13,692–3
- Officers not able to earn full amount without extensions and disadvantages, *Cuming* - - 16,278

Pensions, P.C.S.—*continued.*

- REDUCED FOR INEFFICIENT OFFICERS:
  - Advocated, and suggestions *re* rate, *Beatson-Bell,* 11,948; *Krishna K. Mukherji,* 12,793; *Stephenson,* 15,654; *Cuming,* 16,315, 16,317; *Macpherson,* 19,031, 19,050.
  - not Approved, *De,* 10,441; *Beatson-Bell,* 11,948; *Amritalal Mukherji,* 13,340.
- Rule requiring 2 years' continuous service, repeal advised, *Mitra* - - - - - - 11,623
- for Service of even 10 years advocated, if officer willing to retire, and one-third suggested, *Peters* 13,804, 13,806, 13,824–7, 13,885
- Suitable, but might be based on salary of last year, *Macpherson* - - - - - - - 19,049
- System satisfactory, *De,* 10,443, 10,439; *Mookerjee,* 12,208; *Krishna K. Mukherji,* 12,792; *Amritalal Mukherji,* 13,338; *Stephenson,* 15,653; *Cuming,* 16,313; *W. P. Milne,* 17,240; *Macpherson,* 19,052, p. 574.
- System not quite satisfactory, *Ali Ashraf,* 12,588; *Mahtab,* 13,131–2; *Chaudhuri,* 17,396.

Peters, A. P., evidence of - - - - 13,747–895

Pleaders:

- Recruitment from (*see under* Judicial Branch).
- Uses and value of, *Cuming* - - - 16,417–26

Police:

- Probationers, class and comparison with I.C. Servants, *Hughes-Buller* - - - 16,871–8
- INSPECTOR-GENERAL:
  - Addition to schedule of I.C.S. Act of 1861, advised, *De* - - - - - - - 10,334
  - Post may be held by police officer, *Hughes-Buller* 16,947
- on Commission in non-regulation provinces draw same pay as members of I.C.S., *Crosse* - 13,552
- Provincial Service, prospects better than in P.C.S., but not preferred, *Peters* - 13,844–8, 13,857–8
- Superintendent of, officer of P.C.S. should be placed on same footing as, *re* regulations for pension, *Mitra* - - - - - - - - 11,625
- Training of probationers in India successful, but not analogous to I.C.S., *Stephenson* - - - 15,557
- TRAINING INSTITUTIONS:
  - Particulars, *Hughes-Buller* - 16,756–6, 16,794
  - draft Rule in connection with training of sub-inspectors at, quoted, *Hughes-Buller* - 16,713
  - Separate from I.C.S. instruction, advised, *Hughes-Buller* - - - - - - - 17,000–1.

Postal insurance, advantage taken of, by members of P.C.S., *Stephenson* - - - - - - 15,657

Precedence:

- Question of, *Sinha* - - - 10,313, 10,046–52
- WARRANT OF:
  - Certain officers of P.C.S. find no place in, *Crosse* 13,560, 13,660–4
  - position of Collectors and Magistrates of P.C.S and listed officers, *Sinha* - - 10,083–4

Probation, I.C.S.:

- Allowance advocated, and suggestions *re* amount, *De,* 10,350, 10,474; *W. S. Milne,* 11,329; *Beatson-Bell,* 11,868; *Peters,* 13,764; *Braithwaite,* 14,215, 14,275; *Shorrock,* 14,517, 14,543–4; *Stephenson,* 15,551; *Cuming,* 16,262; *Gupta,* 17,896, 18,088–92; *Basu,* 18,280; *Rundlett,* 18,755; *Macpherson,* 18,973, p. 552.
- Allowance, refund if candidate rejected not advocated, *De* - - - - - - - 10,475–6
- Advocated, *Strong,* 9608; *Sinha,* 9836; *Mookerjee,* 12,188; *Fazlul Huq,* 12,894; *Ghose,* 13,920; *Braithwaite,* 14,236; *Banerjea,* 15,131; *Stephenson,* 15,547; *Basu,* 18,277; *Macpherson,* 18,970, p. 552.
- in Britain, advocated, *Beatson-Bell* 11,866, 11,873, 11,878
- COURSE OF STUDY:
  - Accounts:
    - Advocated, *De,* 10,355; *W. S. Milne,* 11,326, 11,334; *Stephenson,* 15,554, 15,555–6; *Cuming,* 16,267; p. 553.
    - not Advocated, *Beatson-Bell,* 11,872, 12,030–3; *Macpherson,* 18,978.

Probation, I.C.S.—*continued.*

- COURSE OF STUDY—*continued.*
  - Classical language should be compulsory, *Beatson-Bell* - - - - - - - - 11,871
  - Course prescribed in 1891 admirable, *Beatson-Bell*, 11,871
  - Degree advised, *Strong*, 9623, 9726; *Gupta*, 17,896, 17,992, 18,087.
  - Differentiation for Indians:
    - not Advocated, *Strong*, 9610; *De*, 10,361; *W. S. Milne*, 11,339; *Mookerjee*, 12,190; *Ghose*, 13,921; *Braithwaite*, 14,237; *Banerjea*, 15,133, 15,176.
    - Necessary, and details, *Mahtab*, 13,113; *Basu*, 18,287.
    - Necessary if simultaneous examination introduced, *Baikuntha Nath Sen* - - 16,581
    - Only as regards vernaculars suggested, *Beatson-Bell*, 11,879, 11,889; *Stephenson*, 15,560; *Macpherson*, 18,983, p. 553.
  - English constitutional history and local government, and parliamentary institutions, *Banerjea* 15,132
  - for Europeans, course advised, *Sarvadhikari* 17,032
  - General study advised for executive branch, *Sarvadhikari* - - - - - - - 17,123–9
  - Honours degree advised, *De*, 10,353, 10,472–3; *Beatson-Bell*, 11,871, 11,884.
  - Indian Geography:
    - Desirable, *De*, 10,355; *W. S. Milne*, 11,334; *Beatson-Bell*, 11,872; *Stephenson*, 15,554–6; *Hughes-Buller*, 16,704–5; *Basu*, 18,282; *Macpherson*, 18,978, p. 552–3.
    - not Necessary, *Cuming* - - - - 16,267
  - Indian History:
    - Advised, *Beatson-Bell*, 11,978; *Banerjea*, 15,132; *Stephenson*, 15,554–6; *Hughes-Buller*, 16,704–5; *Basu*, 18,468–9, p. 552, p. 553.
    - not Advocated, *Macpherson* - - 19,079–80
  - Indian languages:
    - Grammar, grounding in, advised, *De*, 10,355; *W. S. Milne*, 11,332, 11,342; *Beatson-Bell*, 11,872, 11,978; *Stephenson*, 15,554–5, 16,043–4; *Cuming*, 16,267; *Macpherson*, 18,977–8, p. 552–3.
    - in England preferred, *De*, 10,359; *Milne*, 11,338; *Mitra*, 11,592; *Beatson-Bell*, 11,876; *Stephenson*, 15,559; *Basu*, 18,258, p. 553.
    - in India advised, *Carnduff*, 11,039; *Mahtab*, 13,113; *Cuming*, 16,267; *Hughes-Buller*, 16,704–5, 16,778; *Macpherson*, 18,977–8.
    - in London as well as, or better than at Oxford or Cambridge, *Milne* - - - - 11,430–3
    - Modern and classical advised, *Banerjea* 15,132–3
    - Persian or Sanskrit, question of, *Macpherson* 18,977
    - Vernaculars advocated, *Fazlul Huq*, 12,895; *Ghose*, 13,920; *Gupta*, 17,896; *Cullis*, 18,550.
  - Indian sociology, &c., need for, *Strong*, 9734–41, 9760–3; *Baikuntha Nath Sen*, 16,559, 16,643; *Hughes-Buller*, 16,848–63.
  - for Indians, course advised, *Sinha*, 9838, 9885–7; *Sarvadhikari*, 17,032
  - Law:
    - Attendance at Law Courts and reporting of cases advocated, *De*, 10,355; *Carnduff*, 10,752, 11,034, 11,040; *W. S. Milne*, 11,334; *Beatson-Bell*, 11,872; *Stephenson*, 15,555; *Cuming*, 16,267, 16,439–41; *Hughes-Buller*, 16,704, 16,776, *Gupta*, 17,896; *Basu*, 18,282, 18,289; *Cullis*, 18,550–1; *Macpherson*, 18,974, 18,977, 18,978, 19,202, 19,273–4, 19,353–5, p. 553, p. 554.
    - Confined almost entirely to law, advised, and course, *Carnduff*, 10,752, 10,760; *Cullis*, 18,550–1, 18,731–2.
    - Indian:
      - Advocated - - - - - - p. 553.
      - Chiefly during second year in India advised, *Macpherson* - - - - - 18,977–8
      - not Essential, *Stephenson*, 15,555; *Macpherson*, 19,079–80.
      - Necessary, *De*, 10,354–5; *W. S. Milne*, 11,334; *Beatson-Bell*, 11,872, 11,978; *Ghose*, 13,920; *Cuming*, 16,267; *Rundlett*, 18,755.

Probation, I.C.S.—*continued.*

- COURSE OF STUDY—*continued.*
  - Law—*continued.*
    - Suggestions *re* course, *De*, 10,651; *Carnduff*, 10,814–5, 11,210–5; *W. S. Milne*, 11,430–3; *Abdul Majid*, 14,931; *Hughes-Buller*, 16,704, 16,778; *Macpherson*, 19,272–5, p. 553.
    - Thorough training necessary, and suggestions *W. S. Milne*, 11,326; *Beatson-Bell*, 11,884–5; *Stephenson*, 15,548–9, 15,554–6; *Cuming*, 16,266, 16,336–41, 16,373–5, 16,438; *Sarvadhikari*, 17,039; *Gupta*, 17,896; *Rundlett*, 18,755; *Macpherson*, 18,974–5, 18,977, 18,988, 19,136–40, 19,198–202 p. 552.
  - Political economy:
    - Desirable, *De*, 10,355; *W. S. Milne*, 11,334; *Beatson-Bell*, 11,872, 11,978; *Banerjea*, 15,132; *Stephenson*, 15,555–6.
    - Doubtful, *Hughes-Buller* - - - 16,705
    - not Necessary, *Cuming*, 16,267; *Macpherson*, 18,978.
  - Political science advocated, *Banerjea* 15,132, p. 552
  - Principle of Lord Macaulay's Committee:
    - Accepted, *W. S. Milne*, 11,332; *Beatson-Bell*, 11,870; *Stephenson*, 15,553; *Cuming*, 16,265; *Hughes-Buller*, 16,703; *Macpherson*, 18,976, p. 552.
    - not Accepted, *De* - - - - - 10,353
  - Riding advised, *Hughes-Buller* - - - 16,704
  - Specialised training advised, *Stephenson*, 15,553; *Hughes-Buller*, 16,700; *McLeod*, 17,702. 17,810–1.
  - more Thorough training desirable, *Milne* - 11,396
  - Trade economics advised, *Stephenson* - - 15,554
  - University course, suggested, *De*, 10,353, 10,472–3; *Braithwaite*, 14,215, 14,272.
- DIFFERENTIATION BETWEEN PERSONS OF MIXED AND UNMIXED DESCENT:
  - not Advocated, *Sinha*, 9848; *De*, 10,372–3; *Mookerjee*, 12,196; *Ghose*, 13,932; *Braithwaite*, 14,244; *Sarvadhikari*, 17,044.
  - only in Matter of vernaculars desirable, *Banerjea* 15,143
  - Men who are not pure Indians should be treated as Europeans as regards languages, *Beatson-Bell* 11,890
- Early training best, *Stephenson* - - - 16,138
- IN ENGLAND:
  - in Addition to periods in India advocated, but less important and might be omitted, *Strong* 9642–4, 9650
  - Advocated, and reasons, *Sinha*, 9838–9, 9883–7, 10,197; *De*, 10,346, 10,356, 10,648–9; *Carnduff*, 10,760, 11,034–44; *W. S. Milne*, 11,335; *Mitra*, 11,589, 11,594; *Mookerjee*, 12,191, 12,232; *Fazlul Huq*, 12,896–7; *Peters*, 13,769; *Ghose*, 13,922, 14,155; *Banerjea*, 15,134, 15,174, 15,177–8, 15,180, 15,229–30, 15,303; *Stephenson*, 15,556–7, 16,040, 16,209; *Cuming*, 16,268; *Hughes-Buller*, 16,882–6; *Sarvadhikari*, 17,030, 17,096–105, 17,120–1, 17,127–9; *McLeod*, 17,759; *Gupta*, 17,896; *Basu*, 18,283; *Rundlett*, 18,755, 18,760–2; *Macpherson*, 19,201–2, p. 553.
  - at Approved residential university:
    - Advised, *Sinha*, 9838, 9883–7; *De*, 10,320, 10,328, 10,348–9, 10,351, 10,464–8, 10,683–6; *Carnduff*, 10,760, 11,043–4; *W. S. Milne*, 11,327–8, 11,389–92; *Mitra*, 11,590–1, 11,715–21; *Beatson-Bell*, 11,867; *Fazlul Huq*, 12,896–7; *Peters*, 13,762–3; *Ghose*, 13,900; *Braithwaite*, 14,215, 14,273; *Stephenson*, 15,549–50, 16,035–9, 16,087–99; *Cuming*, 16,261, 16,263, 16,268; *Hughes-Buller*, 16,701–2; *Sarvadhikari*, 17,030; *Gupta*, 17,896, 17,928, 17,987–92, 18,224; p. 552.
    - not Advocated, *Basu* - - - - 18,279
    - not Advocated if age of admission 23 or 24, *Macpherson* - - - - - 18,972
  - for Indians passing examination in India advocated, and stricter and more detailed certificates than of those recruited in England, *Mookerjee* 12,167
  - in London advocated, *Cullis* - - - 18,551

Probation, I.C.S.—*continued.*
IN ENGLAND—*continued.*
Separate institution:
Advocated, *Peters*, 13,765; *Hughes-Buller*, 16,701–2.
not Advocated, *De*, 10,352; *W. S. Milne*, 11,331; *Beatson-Bell*, 11,869; *Stephenson*, 51,552; *Cuming*, 16,261, 16,264; *Cullis*, 18,552, *Macpherson*, 18,975; p. 552.
after Simultaneous examination, advised for Indians, *Mitra* - - - - 11,678–9
in England and India, in equal periods, advised, *Macpherson* - - - 18,971, 18,979, 19,272–5
Final examination, in Indian language and laws advised, *Mahtab* - - - - - 13,092
IN INDIA:
Advocated, *Strong*, 9608, 9611, 9621, 9629, 9649–51, 9724–5, 9770, 9789; *Sinha*, 10,109–10; *Fazlul Huq*, 12,895–6, 12,897, 12,940; *B. C. Mahtab*, 13,092, 13,229; *W. P. Milne*, 17,239, 17,256.
not Advocated, *McLeod* - - - - 17,709
Arrangements by Provincial Government:
Advocated, *Strong*, 9613; *Mahtab*, 13,115; *Ghose*, 13,924; *Baikuntha Nath Sen*, 16,584.
Central provincial institutions desirable and scheme, *Hughes-Buller* 16,707, 16,709, 16753–6, 16,764–9, 16,781–94, 16,798–8001
not Desirable, *De*, 10,358; *Carnduff*, 11,037; *Banerjea*, 15,136; *Stephenson*, 15,558; *Sarvadhikari*, 17,036; *Basu*, 18,284.
Special training colleges useful, and police officers might share, *Macpherson* - 18,981, 19,201–5
in Capacity of personal assistant to judicial commissioner, advocated, *W. P. Milne* - 17,239
College, central:
Desirable, *Strong*, 9612; *Mahtab*, 13,114; *Peters*, 13,766; *Braithwaite*, 14,215, 14,239–40, 14,276–7, 14,452–4; *Baikuntha Nath Sen*, 16,583; *Sarvadhikari*, 17,030, 17,035–6, 17,096–105, 17,126; *Basu*, 18,281 ;*Macpherson*, 19,356–9.
not Desirable, *Sinha*, 9840; *De*, 10,357; *W. S. Milne*, 11,336; *Beatson-Bell*, 11,874; *Mookerjee*, 12,192; *Fazlul Huq*, 12,898; *Ghose*, 13,923; *Banerjea*, 15,135; *Stephenson*, 15,557; *Hughes-Buller*, 16,706; *Macpherson*, 18,980, p. 553.
Separate from police institution desirable, *Hughes-Buller* - - - - 17,000–1
Course of training under magistrate or other officer advocated, *Strong* - 9609, 9630, 9706–7
Distribution of men among specially selected districts advised if colleges not instituted, *Macpherson* - - - - - - 18,981
for Englishmen, impracticable, *Sinha* - 9839, 98,88–9
Necessary, if age limit not reduced and year in England abolished, and under Collectors advised, *Beatson-Bell* - - - - 11,875
Question of combination with training, *Stephenson* 16,040–2
as Test of character advocated, and effect on recruitment, *Strong* - - - 9730–1
Training in India as well as two years in England not practicable, *Sinha* - - - - 9890
of Indians, necessary to test power of dealing with people and of bearing responsibility, *Strong* 9771
of Indians recruited in India corresponding to Statutory C.S., suggestions, *Sarvadhikari* - 17,043
Judicial Branch (*see that title*).
for Officers recruited as cadets same as for recruits by open competition advised, *Beatson-Bell* - 11,889
PERIOD:
1 year advised, *Sinha*, 9837–8; *Abdul Majid*, 14,931; *Stephenson*, 15,527; *Hughes-Buller*, 16,700, 16,774, 16,881; *W. P. Milne*, 17,239, 17,248; *Basu*, 18,278; *Cullis*, 18,550.
1 year at least advocated, *Fazlul Huq* - 12,895 12,941
1 year in England and 1 in India for Europeans, *Mitra*, 11,589, 11,645–7; *Mookerjee*, 12,191, 12,232–5.

Probation, I.C.S.—*continued.*
PERIOD—*continued.*
2 years advised, *Strong*, 9609, 9621, 9636; *Sinha*, 9838, 9888–9, 10,029; *Carnduff*, 10,752, 10,760, 10,789; *W. S. Milne*, 11,326, 11,344, 11,393–6, 11,424; *Mookerjee*, 12,167, 12,189, 12,191, 12,232; *Banerjea*, 15,132, 15,175, 15,230; *Stephenson*, 15,548; *Cuming*, 16,260, 16,438; *Baikuntha Nath Sen*, 16,562; *Macpherson*, 18,971.
2 years in England, if simultaneous examination introduced, *Mitra* - 11,589, 11,593, 11,645–7
2 years for men recruited in India advised, *Ghose*, 13,920; *Abdul Majid*, 14,931.
2 or 3 years, *Banerjea* - - 15,230, 15,304
3 years advised, *De*, 10,328. 10,347, 10,464, 10,469–71; *Gupta*, 17,896, 17,925–8, 17,983–6, 18,086; *Rundlett*, 18,755, p. 552.
3 years advocated if age limit reduced to 17–19, *Beatson-Bell* 11,843, 11,865, 11,871, 11,979–81
3 years if simultaneous examination introduced, *Sarvadhikari* - - - 17,030, 17,093–5
4th year if necessary to specialise in Indian language and law, *De* 10,328, 10,347, 10,464, 10,647
no Alteration if present system of recruitment kept, *De* - - - - - - - 10,347
Longer, advised, *Sarvadhikari* - - 17,086–8
Power of elimination advocated, *Strong*, 9706–7; *Mitra*, 11,649–50; *McLeod*, 17,760.
AFTER RECRUITMENT IN INDIA:
Differentiation for Indians not advocated, *Ghose* 13,931
One or two years advocated, *Mahtab* - - 13,121
Retention advised, but change in character, *Hughes-Buller* - - - - - - - - 16,699
after Simultaneous examination in England for those passing in India and *vice versâ*, *Baikuntha Nath Sen* - - - - - 16,562, 16,643–7
Special attention necessary to formation of character, in manners and customs of India and in courtesy, &c. to people, *Hughes-Buller* - 16,713, 16,843–9
Stricter, would exclude more Indians or raise standard, *Strong* - - - - 9671–4, 9756–7

Probation, P.C.S.:
Examination, if any, should be of practical nature, *Peters* - - - - - - - - 13,776
System satisfactory, *Sinha*, 9856; *Mitra*, 11,601; *Mookerjee*, 12,203; *Banerjea*, 15,151; *Sarvadhikari*, 17,053.
System, and training under public prosecutors advised, in addition, *Amritalal Mukherji* - 13,310
Training not sufficiently careful, and more personal attention advised, *Mitra* - - - - 11,601
Unsatisfactory and suggestions, *Peters*, 13,776; *Baikuntha Nath Sen*, 16,593.

Promotion, I.C.S:
Absolute fitness essential qualification for promotion to head of a district, *Stephenson* - 15,582, 16,055–7
Acting, should depend on state of cadre, and should not be denied on account of rule or conditions of service, *De* - - - - - - 10,374–5
Block, reasons, &c., *Ali Ashraf*, 12,616, 12,762; *Krishna K. Mukherji*, 12,781, 12,831; *Peters*, 13,782–4; *Cuming*, 16,276.
Block in 1911, and then rapid, and particulars, *Stephenson* - - - - 15,569, p. 555
from Collector to Judge, and Judge to Commissioner, old system approved, *Beatson-Bell* - - 11,897
CONFIDENTIAL REPORTS:
should be Communicated to officer, *Peters* - 13,809
Difficult to attach importance to, *Abdul Majid* 15,059
Knowledge of language should form item in, *Hughes-Buller* - - - - - 16,711
Question of communicating prejudicial remarks to officer, *Beatson-Bell* - - - 12,056–8
System and effect on promotion, *De* 10,653–62, 10,703
Consideration whether attitude to Indians sympathetic advised, *Mookerjee* - - 12,199, 12,512–4
Effect on, of later retirement of officers, *Stephenson* - - - - - - - - - 15,586

Promotion, I.C.S.—*continued.*
Faster in Bengal, *De* - - - - - 10,699
Greater weight should be given to proficiency in Indian languages and details, *Mookerjee* 12,194, 12,507–11
Improvement of grading preferred to officiating promotions or time-scale, *Stephenson* 15,642–3, 15,652, p. 573
of Indians, no instances of suspension for post of district magistrate, *Stephenson* - - 15,706–7
Officer passed over for Commissionership not inefficient, as he is efficient as Collector, *Stephenson* 15,582, 15,730
OFFICERS FAILING TO OBTAIN:
  no Inconvenience to administration, *Stephenson* 15,569, p. 555
  Tabular statement, *Stephenson* 15,569, p. 555–6
OFFICIATING GRADE:
  Retention advocated and satisfactory, *De*, 10,386; *Stephenson*, 15,591–2, 15,739; *Macpherson*, 19,003.
  System, particulars, some delay caused, immaterial *re* promotions, but hardship *re* reversions, *Stephenson* - - - - 15,591, p. 562
Proposal to create grade of Joint Magistrate at Rs. 1,200 would retard, *Stephenson* - 16,048–9
Selection for higher appointments advocated, but frequent promotion of juniors over heads of senior men deprecated, *Macpherson* - - - 18,996
Selection by merit from Rs. 500 advocated, *Krishna K. Mukherji* - - - - - - 12,868
Seniority could be based on result of open competition examination, *Mitra* - - - 11,646–7
by Seniority, advocated, *Beatson-Bell* - - 11,895
Tests might be less rigorous, *Krishna K. Mukherji* 12,775
Time scale (*see under* Pay).
no Undue congestion at present, *Cullis* - - 18,592

Promotion, P.C.S.:
Block, causes and remedies, *Amritalal Mukherji*, 13,512–5; *Stephenson*, 16,242–3; *Crosse*, 13,644–5.
Block not anticipated through training of officials for judicial branch of I.C.S. in subordinate judicial posts, *Sinha* - - - - - 10,228–34
CONFIDENTIAL REPORTS:
  Carefully considered, *Stephenson* - 15,634–5
  Good and bad should be both communicated to officers, *Ali Ashraf*, 12,570, 12,756–7, 12,760–1; *Krishna K. Mukherji*, 12,774, 12,854–5, 12,851–5; *Abdul Majid*, 14,937, 15,060.
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Facilitated by listed posts and question of sufficiency, *Amritalal Mukherji* - - - - 13,452–62
Failure to obtain, on account of clause 7, reasons should be communicated to officer, *Abdul Majid* 14,937, 15,060
Interests of individual officers and administration reconciled, *Amritalal Mukherji* - - - 13,317
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OFFICIATING:
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  Advocated when officer goes on deputation or furlough for six months, but not necessary if time-scale adopted, *Ali Ashraf* 12,577, 12,620–2
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  Vacancies pending decision *re* allotment to Bengal and Bihar and Orissa, *Cullis* - - 18,753–4
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R.

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    23 advised, *Baikuntha Nath Sen* - - 16,569
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    23–5 suggested, *Mitra*, 11,573; *Stephenson*, 15,526; *Rundlett*, 18,755, 18,764.
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- not Advocated, and reasons, *De*, 10,322; *Carnduff*, 10,748; *W. S. Milne*, 11,375–8; *Mitra*, 11,565, 11,641–2, 11,730–6; *Beatson-Bell*, 11,837, 11,960; *Mookerjee*, 12,168, 12,170; *Fazlul Huq*, 12,882, 12,884; *Peters*, 13,753; *Ghose*, 13,900, 13,949; *Banerjea*, 15,113–4; *Stephenson*, 15,517, 15,682–9, 15,691; *Baikuntha Nath Sen*, 16,563; *Hughes-Buller*, 16,684; *Sarvadhikari*, 17,010; *McLeod*, 17,704; *Gupta*, 17,896, 17,918–9; *Basu*, 18,261, 18,445–54; *Cullis*, 18,540, 18,575–7; *Rundlett*, 18,755; *Macpherson*, 18,951, 19,059–69, p. 583.
- may be Desirable, *Mahtab* - - - - 13,097
- advocated (if Simultaneous Examination not accepted) to make up number of Indians admissible to I.C.S., *Sinha*, 9814, 9870–8, 9921, 9931–5, 9941–4, 10,021–2, 10,159–64, 10,171–4, 10,209–15.

Separate Service for Indians objected to, *Carnduff* 10,818–22

Settlement Department, officers of P.C.S. not suitable for, *Stephenson* - - - - - - - 15,544

Settlement work, explanation, *Cullis* - 18,613–23

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Sherishtadar, formerly taken by Commissioner for inspection work, *Ali Ashraf* - - - - 12,709

Shorrock, J. C., evidence of - - - 14,516–787

Simultaneous Examinations:

Advocated, *De,* 10,320, 10,323–4, 10,345, 10,456, 10,608, 10,613, 10,668, 10,670; *Mitra,* 11,560, 11,563, 11,566–7, 11,580, 11,632–6, 11,642, 11,742; *Mookerjee,* 12,167; *Fazlul Huq,* 12,879, 12,881, 12,920; *Peters,* 13,747, 13,751; *Ghose,* 13,900, 13,903, 13,946–63, 14,001, 14,155–7, 14,203–9; *Banerjea,* 15,163–5, 15,211, 15,313–25, 15,354, 15,402–7, 15,460–6; *Sarvadhikari,* 17,006, 17,009, 17,067, 17,173, 17,179; *Gupta,* 17,896, 17,917, 17,920, 18,168–93, 18,228; *Basu,* 18,259.

Advocated, but proportion of posts open to Indians must be fixed, *Mahtab* - - - 13,165–70

Advocated, for executive branch only, *Baikuntha Nath Sen* - - 16,559, 16,562, 16,602, 16,619–20

not Advocated, and objections, *Carnduff,* 10,747, 10,780–3, 10,934–8; *W. S. Milne,* 11,314, 11,372–4, 11,381–4; *Beatson-Bell,* 11,835, 11,959; *Braithwaite,* 14,219, 14,246, 14,283–4, 14,433–44, 14,485–90; *Stephenson,* 15,515, 15,677, 15,789; *Hughes-Buller,* 16,683, 16,744–7; *W. P. Milne,* 17,239, 17,309–20; *McLeod,* 17,703, 17,730; *Cullis,* 18,539, 18,574, 18,661, 18,688–702; *Macpherson,* 18,949, 19,059, 19,250, 19,323–33, p. 546, p. 581–3.

not Advocated if P.C.S. put on better footing and scholarships added, *Peters* - - - 13,849–52

not Advocated if men heading list selected irrespective of nationality, *Strong* - - 9813, 9864

AGE LIMIT:

17–19 on January 1st advised, and reasons, *De* 10,328, 10,618–22

One year later for Indians desirable, *Basu* 18,464

Reduction would be safeguard against excessive number of Indians, *De* - - - - 10,618

All classes probably able to compete before long, *Basu* - - - - - - - 18,358–64

Candidates selected should spend three years at approved University in England and take degree, *De* - - - - - - - - - 10,320

Candidates from any but educated classes not likely, *Stephenson* - - - - - - - 16,207

Coaching institution in India for, question of possibility, *Thibaut* - - - - 18,864–7

Combined with system of selection, advocated, and details, *Rundlett* - - - 18,755, 18,757

Demand continues, *Carnduff* - - - - 10,948

would Discourage European recruitment, and reasons, *Chaplin* - - - - - 14,788, 14,917–20

Effect on recruitment for P.C.S. and I.C.S., *Krishna K. Mukherji* - - - - 12,827, 12,845–6

Enlightened opinion in India not in favour of, but considerable body of educated opinion in favour of, *Braithwaite* - 14,219, 14,278–82, 14,418–22

European recruits would decrease, *Macpherson* 19,325–37

if European training provided, some objections would be removed, *Stephenson* - - 15,687–90

Europeans should be eligible for appointment in India, and result, *Ghose* - - - 14,172–7

not Expedient at present, and reasons, but no objections to principle, *Abdul Majid* - 14,924, 14,958, 15,032–41

Filling of fixed number of vacancies by, approved, but scheme for supplementary examination, &c. preferred, *Sinha* - - - 10,023–5

High standard advised, *Ghose* - - 13,973–5

History of inquiries into expediency of, and evidence *re, Ghose* - - - - - - - - 13,900

INDIANS:

Difficulty if not sufficient to fill proposed half of vacancies, *Ghose* - 14,051, 14,100, 14,129–39

no Difficulty anticipated if number of, above limit, *Gupta* - - - - - - - 18,094–5

should still be Eligible to compete in London, *Mookerjee* - - - - 12,170, 12,451–3

Failure of Indians under, would not embarrass the Government, *Gupta* - - - 18,096–8

Few Indians will go to England, *Banerjea* 15,423–5

not Likely to get sufficient training in India, *Ghose* 14,156–62

Simultaneous Examinations—*continued.*

INDIANS—*continued.*

Preponderance of:

not Anticipated, and a remote possibility, *Sinha,* 9865, 9918, 10,085–6, 10,201–8; *De,* 10,457–61, 10,500–3, 10,574–83, 10,679; *Fazlul Huq,* 12,924–5, 12,929; *Ghose,* 14,001, 14,090, 14,131; *Banerjea,* 15,167–73, 15,224–5, 15,373–96, 15,407, 15,426–9, 15,475–7; *Sarvadhikari,* 17,200–7.

Anticipated, and small success at first, would probably result in, *Carnduff,* 10,781–3, 10,966–7, 11,125–8; *Braithwaite,* 14,219; *Shorrock,* 14,564–5; *Gupta,* 17,896, 17,958, 18,093, 18,168–71, 18,227; *Thibaut,* 18,907.

Supplementary to examination in London advocated for purpose of recruiting proper number of, *Sinha* 9814, 9870–81

Unconditional, not advocated, but modified scheme suggested to fill vacancies and ensure recruitment of proper proportion of, *Mookerjee* 12,167, 12,213–4, 12,216–9, 12,349–53, 12,428–44, 12,497–502

Intermediary service as result of, explanation *re, Mahtab* - - - - - - - 13,174–6

might be Introduced as experimental measure, and could be repealed if necessary, *Fazlul Huq* 12,881, 12,926–9

Lowering or adapting of standard not approved, but demand possible, *Sinha,* 9919–20; *Ghose,* 14,161–7, 14,171; *Cullis,* 18,539.

Majority in favour of, in Public Services Commission of 1886, and statistics, *Ghose* - 13,900, 13,945

Minimum qualification advocated, but difficult *Ghose* - 13,900, 13,950–1, 14,125–8, 14,175–7, 14,203–9

Muhammadans would be swamped at first, *Beatson-Bell* - - - - - - - - 12,151

at Other centres not advocated, *De,* 10,321; *Mitra,* 11,564; *Beatson-Bell,* 11,836; *Peters,* 13,752; *Stephenson,* 15,516; *Basu,* 18,260; *Macpherson,* 18,950, p. 546.

Promotion to listed posts should be supplementary to, *Banerjea* - - - - - 15,185–6

not Pressed if separate judicial recruitment given p. 575

Similarity of standard desirable, *Ghose* 14,091–103

Statutory objections to scheme and alternative acceptable, *Ghose* - - - - 14,049–60

Sinha, S. P., evidence of - - - 9808–10,313

Small Cause Court:

Judges, *see that title.*

Registrars, Munsif might be appointed if fit, *Cuming* 16,551–2

Statutory Civilians:

if Appointed in accordance with Statute of 1870, no badge of inferiority likely, *Ghose* - - 14,082

Effect of interference with, on number of Indians in Service recruited in India, *Stephenson* - 15,949

Entitled to subscribe to General Provident Fund and no further facilities necessary *re* provision for families, *Stephenson* - - - 15,618, p. 565

Indian not entirely satisfactory in district work, *Mahtab* - - - - - - - 13,291

would be Inferior in status, pay, &c., to I.C.S., *Banerjea* - - - - - - 15,350–3

Leave rules, same as for European service not appropriate - - - - - - - p. 564

Objections, *Beatson-Bell* - - - 12,135–8

Only one in Bengal, *Stephenson* - 15,606, p. 564

PAY:

Three quarters advocated, *W. P. Milne* 17,239

Two-thirds suitable, *Banerjea,* 15,506–10; *Stephenson,* 15,595, p. 562.

PENSION:

no Criticism of rules, except Article 566 of C.S. Regulations, *Beatson-Bell* - - 11,921

Suitable, *Stephenson* - - - 15,614, p. 564

Present system of listed posts preferred, *Macpherson* 18,966

Reasons for failure, *Braithwaite,* 14,515; *Stephenson,* 16,139–40; *Macpherson,* 19,296.

Reasons for institution of, *Gupta* - - 17,896

Statutory Civilians—*continued.*
- Recruitment from members of P.C.S. of proved merit and ability advocated, *Peters* - - - 13,760
- Restriction to residents advocated, *Banerjea* 15,349
- REVIVAL OF SYSTEM:
  - Advocated, and scheme, *Ghose*, 13,914, 13,988–91; *Banerjea*, 15,125, 15,198–201, 15,213–4, 15,220–2, 15,298–300, 15,326–39, 15,345–8, 15,397–401, 15,437, 15,441, 15,505–16; *Baikuntha Nath Sen*, 16,576, 16,618, 16,670.
  - not Advocated, and reasons, *Sinha*, 9828; *De*, 10,338, 10,392, 10,402; *Carnduff*, 10,756, 10,758, 10,816, 10,942–3; *W. S. Milne*, 11,324; *Mitra*, 11,568, 11,582; *Beatson-Bell*, 11,854; *Mookerjee*, 12,181; *Fazlul Huq*, 12,892; *Mahtab*, 13,239; *Braithwaite*, 14,232; *Stephenson*, 15,535; *Hughes-Buller*, 16,697, 16,939; *Basu*, 18,275, 18,412–4, 18,447–50.
- Small proportion only of posts for, advised, *Sarvadhikari* - - 17,092, 17,166–7, 17,177, 17,200–7
- Some improved method of recruitment with nomination and competitive examination advised for Indians not willing to go to England, *Sarvadhikari* 17,023, 17,081, 17,139–45, 17,165, 17,188
- Term open to comment, *Abdul Majid* - - 14,929

Statutory regulations, reservation of certain posts to I.C.S.:
- Approved, *Carnduff*, 10,754; *Mookerjee*, 12,178; *Braithwaite*, 14,229; *Hughes-Buller*, 16,993; *Cullis*, 18,547.
- Approved, and additions advised, *De* - - 10,334
- Approved and alteration of schedule not advised, *Beatson-Bell*, 11,851, 12,097–8; *W. S. Milne*, 11,320; *Stephenson*, 15,530; *Macpherson*, 18,962, p. 547.
- not Approved, *Banerjea*, 15,122; *Baikuntha Nath Sen*, 16,573; *Sarvadhikari*, 17,020.
- in Executive branch only, advised, *Ghose* - 13,911
- if Guarantee removed, question of decline of popularity of I.C.S., *Mitra* - - - - - 11,789–91
- for High administrative and judicial posts, approved, *Mahtab* - - - - - - - - 13,106
- not Necessary, and hard and fast rules objected to, *Mitra* - - - - - - - 11,578
- Subject to recommendations, approved, *Sinha* 9825

Statutes, question of recruitment of Indians according to terms of, *Sinha*, 10,134–8; *Stephenson*, 15,861–84, 15,895–901, 15,919–66, 16,025–30, 17,919–66; *Basu*, 18,501–9.

Stephenson, Hugh Lansdown, I.C.S., evidence of 15,511–16,258

Strong, Rev. E. L., evidence of - - 9606–807

Subdivisional officers:
- First-class travelling allowance advised, *De* 10,725
- Halting allowance not equal to allowance of other first-class officers, *Peters* - - 13,809, 13,831–5
- SADAR:
  - Abandonment of scheme advocated, *Mahtab* 13,122, 13,159–60
  - House allowance advocated, *Macpherson* 19,037, 19,119–21
- Separation of functions, question of, *Basu* 18,523

Subdivisions:
- Increase would probably follow increase in districts, *Hughes-Buller* - - - 16,898–901, 16,987–91
- not Necessarily under Europeans, *Hughes-Buller* 16,902–3
- One first-class magistrate in, in addition to subdivisional officer advocated to allow latter to pay attention to administrative work, *Peters* 13,779, 13,809, 13,874–8
- Post nearly always filled by I.C. Servants, and young Civilians sent and remarks *re*, *Fazlul Huq* 12,906, 13,001–6, 13,079–83

Subordinate Executive Service (*see* Executive Service, Subordinate).

Subordinate Service:
- Amalgamation with P.C.S. advocated, *Baikuntha Nath Sen*, 16,594; *Basu*, 18,298.
- Grades and posts, details, *Beatson-Bell* - 12,118–23
- Recruitment, provisional revised rules, *Stephenson* 15,620

Subordinate Service—*continued.*
- Used as step towards P.C.S., *Stephenson* - 16,015, 16,228
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Superior Posts, *see under* Conditions of Service.

Survey Department, time-scale referred to, *Beatson-Bell* - - - - - - - - 11,903

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Thibaut, Dr., evidence of - - - - 18,791–942

Time-scales in other departments, *De*, 10,389; *Mitra*, 11,616; *Beatson-Bell*, 11,963; *Ali Ashraf*, 12,579; *Peters*, 13,793; *K. N. Chaudhuri*, 17,384.
- (*see under* Pay, I.C.S., *and* Pay, P.C.S.)

Training, I.C.S:
- Civilians should have as much dealings with people as military officers with men of regiments, *Strong* 9693, 9733
- AFTER TAKING UP APPOINTMENT:
  - According to branch selected advised, and special training, *Sarvadhikari* - - - - 17,037
  - Certain amount of responsibility advisable, *McLeod* 17,761–5
  - Collector:
    - Personality of, effect on recruits' training, *Strong*, 9694–6; *Carnduff*, 10,791–2; *Beatson-Bell*, 11,880–1; *Stephenson*, 15,712–7.
    - Training of recruits should be duty of, *Strong* 9632–5, 9648, 9694–5
  - Under Collector:
    - Difficulties, *Macpherson* - - - 19,205
    - Might be improved, *Hughes-Buller* - 16,769
  - Course recommended, *Banerjea* - - 15,289–91
  - Defects of present methods, *Strong* - 9645–8
  - Defects, and suggestions for special institutions and then settlement work, *Hughes-Buller* 16,709
  - Departmental examinations:
    - not Approved, and training in hands of Collector and reliance on his personal certificate preferred, *Beatson-Bell* - - - - 11,881
    - Proposal to avoid cramming, *Hughes-Buller* 16,710
    - Satisfactory, *De*, 10,421; *Amritalal Mukherji*, 13,311; *Stephenson*, 15,562, p. 553.
    - Stiffening of standard for vernacular advised *De*, 10,363–4; *W. S. Milne*, 11,341; *Cullis*, 18,554.
    - Suitable with a few alterations, *De*, 10,363–4; *W. S. Milne*, 11,341; *Ali Ashraf*, 12,566; *Krishna K. Mukherji*, 12,772; *Macpherson*, 18,985.
  - no Difficulty in posting assistants, *Stephenson* 16,220
  - at Different centres under selected officers as now advocated, and Provincial Governments should make their own arrangements, *Sinha* - 9841
  - Differentiation for Indians:
    - not Advocated, *Sinha*, 9846; *De*, 10,370; *Mookerjee*, 12,195; *Ghose*, 13,930–1; *Braithwaite*, 14,242; *Banerjea*, 15,141; *Stephenson*. 15,565; *Macpherson*, 18,992, p. 554.
    - not Advocated except as regards languages, *W. S. Milne*, 11,345; *Beatson-Bell*, 11,888–9; *Banerjea*, 15,141; *B. N. Basu*, 18,291.
  - Differentiation between persons of mixed and unmixed descent not advocated, *Mookerjee*, 12,196; *Stephenson*, 15,566; *Basu*, 18,293; *Macpherson*, 18,993.
  - Junior officers allowed too much in Presidency towns as under-secretaries at first, and general training and work at headquarters of district advised, *Mahtab* - - - 13,116, 13,157–8
  - for Officers recruited as cadets same as for open competition, *Beatson-Bell* - - - 11,889
  - Survey and settlement training most valuable, *Beatson-Bell*, 11,880; *Macpherson*, 18,988.

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AFTER TAKING UP APPOINTMENT—*continued.*
System:
Lack of, source of weakness, *Strong* 9614, 9693–7
Particulars, *Beatson-Bell*, 11,880; *Stephenson*, 15,561, 16,045–6, p. 553.
Satisfactory, *De*, 10,362; *Carnduff*, 10,791–2; *Ali Ashraf*, 12,565; *Braithwaite*, 14,241; *Stephenson*, 15,561, 15,712–7; *Macpherson*, 18,984, p. 553.
Satisfactory, except for study of vernaculars, and more thorough training required, *W. S. Milne*, 11,340; *Cullis*, 18,553.
Suitable generally, but system of periodical examination by district officer or deputy collector advised, and *vivâ voce*, *Krishna K. Mukherji* 12,771
Unsatisfactory, and suggestions *re*, *Ghose*, 13,925; *Baikuntha Nath Sen*, 16,585, 16,667–8.
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Theoretically two years, but officers often placed in charge of subdivisions after 1½ years' service, *Beatson-Bell* - - - - - - 11,893
Time taken in, varies, but about two years, and percentage, allowing for, need not be altered, *Stephenson* - - - - 15,576, p. 558
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Work in India preferred to further probation, *Banerjea* - - - - - 15,178–82
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Training, P.C.S.:
Officers should have training to enable them to take on work of I.C.S. officers to relieve overwork, *W. P. Milne* - - - - - - 17,240
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no Reserve for officers under training, *Amritalal Mukherji*, 13,314; *Peters*, 13,781; *Stephenson*, 15,632, p. 570.
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Supplementary examination and additional training in India advised, *Mahtab* - 13,094, 13,137–44, 13,209–13
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